



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 2.

Subject:

County Administrator's Comments

County Administrator's Comments:

County Administrator: _____

JBK

Board Action Requested:

Summary of Information:

Mr. Ramsey will recognize the Fleet Management Division and the Office of Environmental Management on the occasion of the Fleet Management Division of General Services, receiving registration to the ISO 14001-2004 standard. International Organization for Standardization (ISO), is an International Standards setting body. The same organization has registered many of Chesterfield's leading corporations in the 9000 series of Quality Management. Chesterfield County is only the second county in the entire country to receive the Environmental Management ISO 14001 registration.

Preparer: _____ Lisa Elko

Title: _____ Clerk to the Board

Attachments:

☐

Yes

☒

No

000001



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: October 12, 2005

Item Number: 5.

Subject:

Resolution Recognizing October 2005, as "Domestic Violence Awareness Month"

County Administrator's Comments:

County Administrator:

A handwritten signature, likely of the County Administrator, is written over a horizontal line.

Board Action Requested:

The Chesterfield County Domestic Violence Resource Center, county domestic violence task force and service providers request the Board proclaim October 2005, as Domestic Violence Awareness Month."

Summary of Information:

Domestic Violence Awareness month is observed in Chesterfield County and nationwide as a gesture to draw attention to the harsh reality of violence in the home and the work being done to end this violence. Activities throughout the month remember those who have lost their lives as a result of domestic violence, celebrate those who survive, and to support those who work all year to provide safety and support to victims and their children.

County domestic violence staff, service providers and citizens request the clerk read the attached resolution and present to Patricia Jones-Turner, Chesterfield Domestic and Sexual Violence Resource Center Coordinator, and members of the Chesterfield County Domestic Violence Task Force.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator, Human Services

Attachments:



Yes



No

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000002

RECOGNIZING OCTOBER 2005, AS
"DOMESTIC VIOLENCE AWARENESS MONTH"

WHEREAS, violence in the home continues as a major social problem affecting all members of the family and community and dramatically reduces the quality of life for many citizens; and

WHEREAS, we understand the problems of domestic violence occur among people of all ages and in families of all economic, racial, and social backgrounds; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and abuse; and

WHEREAS, the impact of domestic violence is wide ranging, directly affecting women, men and their children and our community as a whole; and

WHEREAS, Chesterfield County is committed to supporting the well being of families by advocating for intervention and prevention activities that decrease the incidents of domestic violence; and

WHEREAS, only a coordinated and integrated effort, which obtains a commitment from all elements of the community to share responsibility in the fight against domestic violence, will put an end to the horrific crime.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 12th day of October 2005 publicly recognizes October 2005, as "Domestic Violence Awareness Month" and urges all citizens to actively support the efforts of the Chesterfield County Domestic and Sexual Violence Resource Center, the Chesterfield Domestic Violence Task Force and our local domestic violence service providers in working towards the elimination of domestic violence in our community.

RECONCIENDO A OCTUBRE DEL 2005 COMO
"EL MES DE CONCIENCIA DE LA VIOLENCIA DOMÉSTICA"

CONSIDERANDO QUE, la violencia en el hogar continúa como un problema social mayor, afectando a todos los miembros del pueblo Hispano-Latino, familias inmigrantes y comunidades, reduciendo dramáticamente la calidad de la vida para todos los ciudadanos, incluyendo los inmigrantes con documentos y los indocumentados; y

CONSIDERANDO QUE, entendemos que los problemas de la violencia doméstica ocurren entre la gente de todas las edades y en las familias de todos los antecedentes económico, racial, cultural y social; y

CONSIDERANDO QUE, el crimen de la violencia doméstica viola la privacidad, la dignidad, la seguridad y la humanidad individual debido al uso sistemático del control y abuso físico, emocional, sexual, psicológico y económico; y

CONSIDERANDO QUE, el impacto de la violencia doméstica tiene alcance directo en la comunidad Hispana-Latina, hombres, mujeres, y niños inmigrantes en nuestra comunidad como un todo, dejando víctimas/supervivientes; y

CONSIDERANDO QUE, el Condado de Chesterfield está comprometido a apoyar el bienestar de toda la población Hispana-Latina y las familias inmigrantes, abogando por actividades de intervención y prevención que disminuyan las incidencias de la violencia doméstica; y

CONSIDERANDO QUE, solamente un esfuerzo coordinado e integrado, que se obtiene de un compromiso de todos los elementos de la comunidad, proporcionando servicios al pueblo Hispano-Latino y a las familias inmigrantes, para compartir la responsabilidad, con la ayuda de Dios, en la lucha contra la violencia doméstica, pondremos fin a este horrible crimen.

AHORA, POR LO TANTO, ES RESUELTO que la Junta de Supervisores del Condado de Chesterfield, este día 12 de octubre, 2005, reconoce públicamente el mes de octubre del 2005, como "EL MES DE LA CONCIENCIA DE LA VIOLENCIA DOMÉSTICA" y anima a todos los ciudadanos a apoyar activamente los esfuerzos del Centro de Recursos para la Violencia Doméstica del Condado de Chesterfield, el Equipo de Fuerza de Trabajo de Violencia Doméstica de Chesterfield, el Equipo de Fuerza de Trabajo Hispano-Latino e Inmigrante de Chesterfield y los servicios de nuestros proveedores locales de servicios de violencia doméstica trabajando hacia la eliminación de la violencia doméstica en nuestra comunidad.

2004 GET THE FACTS: DOMESTIC AND SEXUAL VIOLENCE IN CHESTERFIELD COUNTY, VIRGINIA

Chesterfield County's coordinated response to domestic violence and sexual assault is an interagency effort working to change the climate of tolerance toward family abuse by integrating policies and procedures which centralize victim safety and offender accountability in domestic assault cases. Chesterfield County recognizes the need to assess and document the current state of domestic violence and sexual assault in the county and to develop collaborative plans for intervening. This annual fact sheet gives the community a glimpse of the problem of domestic and sexual violence in our community.

Agency Services

Chesterfield County Police Department reported **10** homicides in 2004, **4** of which were domestic violence related. There were **8558** domestic related calls for service. Police responded to **1539** domestic assault calls and made **1255** arrests for domestic assault, stalking, and violation of protective order. Domestic violence training was provided to **313** people, including **51** law enforcement officers.

In 2004, the Chesterfield Commonwealth's Attorney's Office prosecuted approximately **1106** domestic violence related cases which included felony and misdemeanors that involved assault and battery, violation of protective order, violation of court order, threatening phone calls, stalking, larceny and sexual assaults. The Commonwealth's Attorney's Office provided **3** domestic violence trainings to **38** personnel.

In 2004, the Victim/Witness Assistance Program assisted **822** domestic violence victims, with direct services such as crisis intervention, case status and court information, jail notifications, employer intercession and court escorts. **420** victims used the Pro Bono Attorney Protective Order Project, which links victims to free legal representation for protective hearings. Cell phones were provided to **18** victims. The Sexual Assault Coordinator served **265** clients, **78%** of clients were children under 18 and **22%** of the clients were adults. Sexual assault victimization includes sexual battery, rape, sodomy, carnal knowledge, indecent exposure, and indecent liberties.

In 2004, the Domestic and Sexual Violence Resource Center provided direct services to **1,035** victims, including legal advocacy crisis counseling, safety planning, community referrals, and information/resources to victims of offenders supervised by Community Correction Services. Civil court accompaniment was provided for **223** victims and **93** clients received counseling services.

In 2004, the Community Corrections and Pretrial Services Domestic Violence Unit supervised **421** offenders charged with domestic violence related offenses from the Juvenile and Domestic Relations Court with over **197** referrals made to batterer

intervention providers. Pretrial Services provided supervision for **152** offenders charged with domestic violence related offenses while they awaited court hearings.

The Chesterfield County Sheriff's Office served **1617** preliminary and permanent protective orders in 2004. This number includes orders issued from Chesterfield County and other jurisdictions.

In 2004, the Community Services Board Prevention Unit REACT (Referral and Education to Assist Children in Trauma) Program received **101** referrals. **72** referrals came from **47** law enforcement officers and **29** referrals came from other sources, including the Department of Social Services, the Domestic and Sexual Violence Resource Center, Victim/Witness Assistance Program, and the Chesterfield County Police DV Coordinator. The referrals represented **210** children who were present during violence. Of those, **164** children were reported to be between the ages of 4 and 17 years. These children have witnessed parents or other loved ones involved in a domestic dispute.

In Chesterfield County, for fiscal year 2004, the YWCA shelter provided **4830** nights of shelter to **187** women and **192** children seeking safety from abusive relationships. The YWCA 24-hour hot line received over **8,487** calls for service, including crisis intervention, counseling, information, referrals, and requests for shelter.

Training

The Chesterfield County Domestic and Sexual Violence Resource Center provided **2** training sessions to **17** professionals and volunteers about court advocacy, victim services and serving the Hispanic-Latino community. Brown bag lunches were also provided to the community.

In 2004, the Chesterfield County Domestic Violence Task Force, Inc. provided **2** mini-trainings: "Working with Men Who Batter" and "Sexual Assault and Intimate Relationships."

Awareness

In October, Domestic Violence Awareness Month, activities included: participation in Silent Witness Virginia, the Forth Annual Carolyn Miller Memorial Fund Silent Auction, the Board of Supervisor's proclamation, Informational "Brown Bag Lunches" and Chesterfield County Intimate Partner and Family Violence Fatality Review Team publication.

Domestic Violence in Virginia

For fiscal year 2003, domestic violence programs in Virginia provided **150,447** nights of shelter for **3,916** families, responded to **30,645** family violence hotline calls, provided advocacy to **8,465** domestic violence and stalking victims and served **3,821** children. Of these **3,821** children **2,443** witnessed an act of violence. **1,596** families were turned away from shelters due to a lack of space. **57** Virginians were killed by an intimate partner, **32** Virginians died in intimate partner related homicides and **67** children witnessed or heard a family or intimate partner related homicide occur or found the homicide victim.

Programs provided **114,055** hours of advocacy services to family violence victims, **27,146** hours of advocacy services to sexual assault victims and **18,024** hours of advocacy services to stalking victims. Advocates provided **48,481** hours of legal/court advocacy to **3,022** victims.

Virginia data is compiled from the following sources: VADATA 2003; General Attorney's Report FY2003; and Office of the Chief Medical Examiner, Family and Intimate Partner Homicide Report.

Data compiled by the Chesterfield County Domestic and Sexual Violence Resource Center – 2/05
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**CHESTERFIELD COUNTY
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Meeting Date: October 12, 2005

Item Number: 6.

Subject:

Work Session on Proposed 2006 Legislative Program

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

None

Summary of Information:

Attached are various items for the Board to consider for inclusion in the county's 2006 legislative program.

Preparer: Mary Ann Curtin

Title: Director, Intergovernmental Relations

Attachments:



Yes



No

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2006 Legislative Program

Board of Supervisors

Work Session

October 12, 2005

2006 General Assembly

Sustaining a Healthy, Growing Community

- Board Priorities
 - Protect Cash Proffer Authority

Recommendation:

Due to numerous legislative attempts to alter or eliminate existing cash proffer authority, staff recommends continuing this priority for the 2006 session.

2006 General Assembly

Sustaining a Healthy, Growing Community

- Board Priorities
 - Protect local government land use and zoning authority

Recommendation:

Staff recommends continuing this priority for the 2006 session due to the potential for legislative attempts to reduce or limit local land use tools and accountability.

2006 General Assembly

Sustaining a Healthy, Growing Community

- Board Priorities
 - Protect local revenues

Recommendation:

Staff is recommending the Board continue this as a priority item because we anticipate both legislative and/or budget language which could reduce revenues received from the state or the local tax base. This could negatively impact the county's ability to provide services to citizens.

2006 General Assembly Sustaining a Healthy, Growing Community

- Board Priorities
 - Promote Chesterfield County interests related to transportation proposals

Recommendation:

Staff believes a major focus of the 2006 General Assembly will be transportation issues and is recommending the Board add this to the priority list.

2006 General Assembly

Sustaining a Healthy, Growing Community

- Board Priorities
 - Prevent state cost-shifting to localities
 - (e.g., PPTRA payment shift, limitations in payments from ABC profits, freezing of HB599 allocations, Medicaid)
 - Oppose additional state mandates

Recommendation:

Staff recommends adding these two statements as priorities due to on-going efforts by state agencies to transfer expenditures to localities and to avoid the need for new local expenses mandated by the state without appropriate state financial support.

2006 General Assembly Sustaining a Healthy, Growing Community

- Legislative Requests
 - Potential legislation to implement the recommendations of HJR 685, study of private youth group homes. (PLACEHOLDER)
 - Potential legislation from the Growth Strategies Work Group. (PLACEHOLDER)

Recommendation:

Staff will inform the Board if appropriate legislative requests result from these two sources.

2006 General Assembly

Sustaining a Healthy, Growing Community

• Legislative Requests

- Amend Va. Code to provide that real property in the land use taxation program that the owner splits-off will not incur roll-back taxes (i) if the property split meets the qualifications of the program or (ii) if the property split does not meet the minimum acreage qualifications but the owner splits-off to an immediate family member and the property remains titled in the name of the immediate family member for five years. This amendment would also delete the current requirement for an affidavit from the owner that his motivation for splitting the property was for one or more of the purposes of the land use program.

Recommendation:

Staff believes this will clarify provisions related to split offs of property in the land use taxation program.

2006 General Assembly

Sustaining a Healthy, Growing Community

- Support/Oppose Recommendations
 - Support legislation to reform how telecommunications taxes are imposed in Virginia

Local government representatives have met with representatives of the telecommunications industry and other local governments for over 3 years to develop legislation that is revenue neutral to localities, competitively neutral for the industry and recognizes that the rapid technological transformations within the industry are changing the basis for local taxation.

2006 General Assembly

Sustaining a Healthy, Growing Community

- Additional potential issues for 2006 General Assembly
 - Eminent Domain legislation
 - Cable franchise legislation
 - Family Court legislation
 - Chesapeake Bay Clean-Up funding

Recommendation:

No action now. Staff will keep the Board informed if harmful legislation is introduced on these during the course of the session.

2006 General Assembly

Sustaining a Healthy, Growing Community

Important Dates Related to 2006 Session

Dec. 12, 2005	Pre-file deadline
Dec. 16, 2005	Governor's 2006-2008 Biennial Budget released
Jan. 11, 2006	Session Convenes
Jan. 19, 2006 (est.)	Last Day to introduce bills
Feb. 14, 2006 (est.)	Cross-over
Mar. 11, 2006 (est.)	Adjournment



**CHESTERFIELD COUNTY
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Meeting Date: September 21, 2005

Item Number: 8.A.1.

Subject:

Nomination and Appointment of Mr. James B. Cowan to the Health Center Commission for the County of Chesterfield at Lucy Corr Village as a Matoaca District Representative

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely "JBR", is written over the line for the County Administrator.

Board Action Requested:

Nomination and appointment of **Mr. James B. Cowan** as the member for the Matoaca District to the Health Center Commission.

Summary of Information:

The Health Center Commission governs operation of Lucy Corr Village. It is the chief operating and governing board for Lucy Corr Village. Health Center Commission members also serve as the governing board for the Brandermill Woods Retirement Center (a nonprofit facility called Senior Living Choices. Deputy County Administrator Bradford S. Hammer serves as an ex-officio member-advisor to both boards.

Mr. James B. Cowan has expressed a desire to serve a 4-year term as a Matoaca District representative. Mr. Cowan's term will be effective immediately and expire 6/30/2009.

Under the existing Rules of Procedure, appointments to board and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: October 12, 2005

Item Number: 8.A.2.

Subject:

Nominations for Two New Appointments and Two Reappointments to the Board of Building Code Appeals

County Administrator's Comments:

County Administrator: _____

Board Action Requested:

Reappointment of two members and nomination of two new members to the Board of Building Code Appeals.

Summary of Information:

The terms of four members of the Board of Building Code Appeals expired on June 30, 2005. As you will recall, a similar item was on the Board of Supervisors June 22, 2005 agenda.

The members whose terms have expired are Stephen H. Connor, a master electrician, James G. Kester, a master plumber, Robert E. Olsen, and Wolfgang Webner, a master electrician. Mr. Conner and Mr. Kester have significantly less service on the appeals board than Mr. Olsen and Mr. Webner.

Appointment of two new members of the appeals board to replace members with longer terms is proposed by this agenda item. As a result, staff has confirmed that **Mr. Conner** of the Dale District and **Mr. Kester** of the Bermuda District are willing to serve another term. New appeals board members proposed are **Mr. Ronald L. Dougherty**, a master electrician from the Matoaca District and **Mr. C. Brown Pearson, III**, a real estate property manager from the Clover Hill District. These appointments would maintain the composition of membership established by county ordinance and the Virginia Uniform Statewide Building Code.

Preparer: William D. Dupler

Title: Building Official

Attachments:



Yes



No

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**CHESTERFIELD COUNTY
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Under the existing Rules of Procedures, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedures are suspended by a unanimous vote of the Board Members present. Nominees are voted on in the order in which they are nominated.

000022

MEMORANDUM

TO: The Honorable Members of the Board of Supervisors

FROM: Lane B. Ramsey, County Administrator

DATE: September 30, 2005

SUBJECT: BOARD OF BUILDING CODE APPEALS

The following members of the Board of Building Code Appeals have served on the Board and wish to continue to serve should you wish to reappoint them:

Stephen H. Connor, Master Electrician, Dale District, Appointed 07/01/02
James G. Kester, Master Plumber, Bermuda District, Appointed 07/01/02

The terms of the above expired on June 30, 2005.

The following individuals are potential new members of the Board of Building Code Appeals should you appoint them:

Ronald L Dougherty, Master Electrician, Matoaca District
C. Brown Pearson, III, Real Estate Property Manager, Clover Hill District



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Meeting Date: October 12, 2005

Item Number: 8.A.3.

Subject: Nomination/Appointment of County Representative as Alternate Board Member for the Central Virginia Waste Management Authority and a Member of the Central Virginia Waste Management Authority Citizen Advisory Committee

County Administrator's Comments:

County Administrator: _____

Board Action Requested: Request the board appoint the following individual to serve as Alternate Board Member for the Central Virginia Waste Management Authority and a member of the Central Virginia Waste Management Authority Citizen Advisory Committee.

Summary of Information:

The existing Alternate Board Member, Howard Heltman, retired from Chesterfield County. It has been recommended that Barry Matthews, who is Mr. Heltman's replacement, be appointed to this vacant position of alternate member of the Central Virginia Waste Management Authority and a member of the Central Virginia Waste Management Authority Citizen Advisory Committee.

Alternate Member: **Barry Matthews** Term Expires: 12-31-2007

Under the existing Rules of Procedures, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedures are suspended by a unanimous vote of the Board Members present. Nominees are voted on in the order in which they are nominated.

Preparer: Francis M. Pitaro

Title: Director of General Services

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: October 12, 2005

Item Number: 8.A.4.

Subject:

Nomination/Appointment to the Parks and Recreation Advisory Commission

County Administrator's Comments:

County Administrator: _____

Board Action Requested:

Nominate/appoint one member to serve on the Parks and Recreation Advisory Commission.

Summary of Information:

The Commission is a panel of County citizens who will act as a liaison between the public, the Board of Supervisors, and the County Administration. The Commission will review public input concerning parks and recreation facility development and programs and will work closely with the Department of Parks and Recreation to advise on long-range planning, policy direction and other critical issues.

Mr. Edward B. Barber, Midlothian District Supervisor, has recommended that the Board nominate and appoint **Mr. Will Shewmake** to fill the vacancy of Mr. Hadi YazdanPanah. The term will be effective immediately and will expire December 31, 2007.

Under the existing Rule of Procedure, appointments are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present.

Preparer: Michael S. Golden

Title: Director-Parks and Recreation

Attachments:

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Yes

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No

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000025



**CHESTERFIELD COUNTY
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Meeting Date: October 12, 2005

Item Number: 8.A.5.

Subject:

Nomination and Appointment of Directors to the GRTC Transit System ("GRTC") Board of Directors and Authorization to Elect Directors at GRTC Annual Meeting

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Nominate and appoint three County directors to the GRTC Board for a one-year term and authorize the County Administrator or his designee to appear at the October 19, 2005 GRTC annual meeting to vote for the directors appointed by the Board and by Richmond City Council.

Summary of Information:

GRTC is a publicly-owned corporation which was formed to provide public transportation services in the Richmond regional area. Chesterfield County and the City of Richmond each own 50% of GRTC as its two sole shareholders. GRTC is governed by a six-member board of directors, three appointed by the County and three by the City. The terms for **David W. Mathews, Daniel K. Smith, and S. Joseph Ward**, the County's current GRTC Directors, will expire on October 19, 2005, the date of the next GRTC annual shareholder's meeting. Under the GRTC by-laws, the Board may reappoint the current directors to the next term or may appoint new directors. There are no eligibility requirements to serve as a director on the GRTC Board and the term of office

Preparer: Steven L. Micas

Title: County Attorney
0425:70150.1

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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is one year. Mr. Mathews, Mr. Smith, and Mr. Ward have expressed their willingness to continue to serve an additional term. Under the existing Rules of Procedure, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

The GRTC Articles require the County and the City of Richmond, as GRTC's shareholders, to vote at the October 19, 2005 annual meeting for the three directors appointed by the other jurisdiction. The Board should, therefore, also authorize the County Administrator or his designee to appear at the October 19th annual meeting and vote on behalf of the County for the GRTC Directors appointed by the Board and by City Council.

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**CHESTERFIELD COUNTY
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Meeting Date: October 12, 2005

Item Number: 8.B.1.a.

Subject: Resolution Recognizing October 2005, as "Workforce Development Month"

County Administrator's Comments:

County Administrator: _____

ABR

Board Action Requested:

Approval of attached resolution.

Summary of Information:

The Capital Area Workforce Development Board provides comprehensive workforce placement services to County residents through its regional offices and Chesterfield office located at the Airport Industrial Park. The resolution declares October 2007 as Workforce Development month to better promote, educate and market workforce development programs.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator

Attachments:



Yes



No

000023

RECOGNIZING OCTOBER 2005, AS "WORKFORCE DEVELOPMENT MONTH"

WHEREAS, the Capital Area's economy is increasingly dependent on a skilled and trained workforce to support economic growth and expansion; and

WHEREAS, successful businesses in today's global economy require that both workers and businesses engage in continuous learning to meet the demand driven needs of business; and

WHEREAS, the coordination of workforce preparation, labor market information and economic development is essential to the economic well-being of the Capital Area; and

WHEREAS, the Capital Area Policy Board, the Capital Area Workforce Investment Board, and the Capital Area Workforce Centers, and other Workforce Development agencies are responsible for engaging the business community in defining their needs to ensure that the coordination of workforce preparation, labor market information and economic development are demand driven resulting in an increase in the pool of workers with the skills needed to retain the region's competitive advantage; and

WHEREAS, the Capital Area has joined with other communities across the Commonwealth of Virginia as members of the Virginia Workforce Network, to enhance Virginia's ability to compete nationally and internationally by assisting employers in recruiting, retaining and improving the performance of all workers; and

WHEREAS, Chesterfield County recognizes that a skilled and flexible workforce is a key to business performance in the global economy and the Capital Area's competitive advantage.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes October 2005, as "Workforce Development Month" and encourages county businesses to offer continuous learning opportunities for the development of their workers.



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Meeting Date: October 12, 2005

Item Number: 8.B.1.b.

Subject:

Resolution Recognizing Battalion Chief Don R. Bowman, Chesterfield Fire and Emergency Medical Services Department, Upon His Retirement

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely "J.B.K.", is written over the line for the County Administrator.

Board Action Requested:

Adoption of resolution

Summary of Information:

Staff is requesting the Board of Supervisors recognize Battalion Chief Don R. Bowman, Chesterfield Fire and Emergency Medical Services Department, upon his retirement on September 1, 2005, after serving the county for over 30 years with dedicated service to the county.

Preparer: Frank H. Edwards, Jr. _____

Title: 2nd Deputy Fire Chief _____

Attachments:



Yes



No

000030

RECOGNIZING BATTALION CHIEF DON R. BOWMAN UPON HIS RETIREMENT

WHEREAS, Battalion Chief Don R. Bowman retired from the Chesterfield County Fire and Emergency Medical Services Department on September 1, 2005; and

WHEREAS, Battalion Chief Bowman served as a volunteer firefighter at the Manchester Volunteer Fire Department from 1971 through 1978; and

WHEREAS, Battalion Chief Bowman completed Recruit School #5 in 1975 and has faithfully served the county for over 30 years in various assignments while holding the ranks of firefighter, sergeant, and lieutenant at Manchester Fire Station #2; Bon Air Fire Station #4; Chester Fire Station #1; Dale Fire Station #11; and Dutch Gap Fire Station #14; and

WHEREAS, Battalion Chief Bowman served in the Technical Services Unit as a firefighter and as the sergeant of that unit as well as a sergeant in Fire Investigations and Inspections; and

WHEREAS, Battalion Chief Bowman served in many other positions within the department while holding the ranks of captain and battalion chief, including Fire Training Officer; Manager of Fire and EMS Communications; Fire Logistics Captain; Battalion Chief in charge of Maintenance and Logistics; Operational Battalion Chief in the southern, northern and western divisions; Interim Director of the Emergency Communications Center; and Battalion Chief in charge of Special Projects; and

WHEREAS, Battalion Chief Bowman served the department on several teams, committees, councils and project groups, including the Fire and EMS Haz-Mat and SCUBA Rescue Teams; Fire and EMS Strategic Planning Committee and Quality Council; EMS Advisory Council; Chairman of the Crater Regional Public Safety Communications Committee Project; Chairman of the Capital Regional Public Safety Communications Committee; Chesterfield Public Safety Communications Project Team for the design, procurement, and implementation of a Regional Public Safety Communications System; and the Chesterfield Public Safety Mobile Data Communications System Project Team for the design and procurement of mobile data computers, computer aided dispatch, fire records management, computer mapping, and integration of all systems; and

WHEREAS, Battalion Chief Bowman has readily responded to every need of the Fire Department within his capability and has earned the respect and admiration of the entire department through his dedication to public service, his willingness to work long hours without complaint, and his creativity in performing a variety of jobs.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Battalion Chief Don R. Bowman, expresses the appreciation of all residents for his service to the county, and extends appreciation for his dedicated service and congratulations upon his retirement.



**CHESTERFIELD COUNTY
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Meeting Date: October 12, 2005

Item Number: 8.B.1.c.

Subject:

Resolution Recognizing Lieutenant Frank D. Marsee, Jr., Chesterfield Fire and Emergency Medical Services Department, Upon His Retirement

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely "JBR", is written over the line for the County Administrator.

Board Action Requested:

Adoption of resolution

Summary of Information:

Staff is requesting that the Board of Supervisors recognize Lieutenant Frank D. Marsee, Jr. for his retirement on August 1, 2005, after serving the county for over 24 years with dedicated service to the county.

Preparer: Frank H. Edwards, Jr. _____

Title: 2nd Deputy Fire Chief _____

Attachments:



Yes



No

000032

RECOGNIZING LIEUTENANT FRANK D. MARSEE, JR.
UPON HIS RETIREMENT

WHEREAS, Lieutenant Frank D. Marsee, Jr. retired from the Chesterfield Fire and Emergency Medical Services Department, Chesterfield County, on August 1, 2005; and

WHEREAS, Lieutenant Marsee attended Recruit School #11 in 1981 and has faithfully served the county for twenty-four years in various assignments as a Firefighter at the Ettrick, Dale and Wagstaff Fire Stations; as a Sergeant at the Clover Hill and Manchester Fire Stations; and as a Lieutenant at the Clover Hill, Buford Road and Ettrick Fire Stations; and

WHEREAS, Lieutenant Marsee was selected as one of the first Tactical Safety Officers (TSO) for Chesterfield Fire and EMS, and performed those duties in an exemplary manner which established the model for future TSO's to emulate; and

WHEREAS, Lieutenant Marsee received a Life Save Award for his actions on August 30, 2004 during the successful water rescue of three citizens from a swollen creek off Turner Road as a result of Tropical Storm Gaston; and

WHEREAS, Lieutenant Marsee received a Unit Citation for his actions on April 13, 2003 during the rescue of four teenagers from the Appomattox River.

NOW, THEREFORE BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the contributions of Lieutenant Frank D. Marsee, expresses the appreciation of all residents for his service to Chesterfield County, and extends appreciation for his dedicated service and congratulations upon his retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.1.d.

Subject:

Resolution Recognizing Elliott N. Thweatt Jr., Radio Shop Systems Analyst,
Upon His Retirement, for 21 Years of Dedicated Service to the County

County Administrator's Comments:

County Administrator: _____

A handwritten signature in cursive script, likely belonging to the County Administrator.

Board Action Requested:

Adoption of attached resolution

Summary of Information:

Staff requests the Board adopt the attached resolution recognizing Radio Shop Supervisor Elliott N. Thweatt Jr. for 21 years of service to Chesterfield County.

Preparer: _____ **Francis M. Pitaro** **Title:** _____ **Director**

Attachments:



Yes



No

000034

RECOGNIZING MR. ELLIOTT N. THWEATT JR. UPON HIS RETIREMENT

WHEREAS, Mr. Elliott N. Thweatt Jr. retired on October 1, 2005 after providing twenty-one years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mr. Thweatt began his service September 10, 1984 as a Radio Installation Technician, in the Department of General Services, Radio Shop Division, where it was a two-man operation; and

WHEREAS, Mr. Thweatt has seen the county's radio system grow from two towers to ten towers and from two technicians to fourteen; and

WHEREAS, Mr. Thweatt was instrumental in the installation of the regionally integrated 800 Megahertz (MHz) Trunking Radio System in conjunction with Richmond and Henrico County; and

WHEREAS, Mr. Thweatt oversaw the installation of the vehicular components of the county's Mobile Data System providing instant access to information for Police and Fire personnel; and

WHEREAS, Mr. Thweatt was selected as the Department of General Services' Employee of the Year for the year 2000, based on his performance of duty, the superb efficiency demonstrated, his technical expertise and his contribution to maintaining the 800 MHz communications system; and

WHEREAS, Mr. Thweatt always performed his duties and responsibilities in a professional manner and placed the welfare and safety of citizens and fellow county employees above his own personal comfort and feelings and will be missed by his fellow co-workers and customers.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mr. Elliott N. Thweatt Jr. and extends appreciation for his twenty-one years of dedicated service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 8.B.1.e.

Subject:

Resolution Petitioning the Governor to Declare Chesterfield County an Agricultural Drought Disaster Due to the Drought

County Administrator's Comments:

Recommend Approval
BJP

County Administrator: _____

Board Action Requested:

Board approval of the attached resolution petitioning the Governor of the Commonwealth of Virginia to declare Chesterfield County an agricultural disaster due to the drought.

Summary of Information:

Rainfall in Chesterfield County since June 5, 2005 has been 5.2 inches below the average rainfall for those months with less than half of the normal rainfall for the last 60 days and approximately 0.1 inch for the month of September. The lack of sufficient rainfall produced extreme stress on crops at a time when most row crops, forage and hayfields needed water for germination, development, and maturation. The lack of rainfall has severely limited irrigation pond supply, thereby compounding the drought.

While lack of water is one factor, unusually high temperatures for long durations during the last 4 months have added an additional stress. High temperatures have increased transpiration rates of available water and in some crops has hindered pollination, further reducing potential yields.

Preparer: Bradford Hammer

Title: Deputy County Administrator

Attachments:



Yes



No

#000036

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Livestock suffered during this droughty period. The reduce quantity and quality of available water have stressed the animals directly, and reduced pasture production such that winter hays stocks are being used to supplement current feeding needs.

Estimated losses from the drought are \$815,396 as of September 28, 2005. Approval of the attached resolution will enable Chesterfield County farmers and producers to be eligible for any state or federal assistance should that become available.

000037

**RESOLUTION REQUESTING THE GOVERNOR TO DECLARE
CHESTERFIELD COUNTY
A DISASTER AREA FOR AGRICULTURAL CROPS**

WHEREAS, Chesterfield County has received only 66% of normal rainfall since June 5; and

WHEREAS, Chesterfield County has received only 4.1 inches of rainfall in the last 60 days; and

WHEREAS, September 2005 has been the driest September on record for central Virginia; and

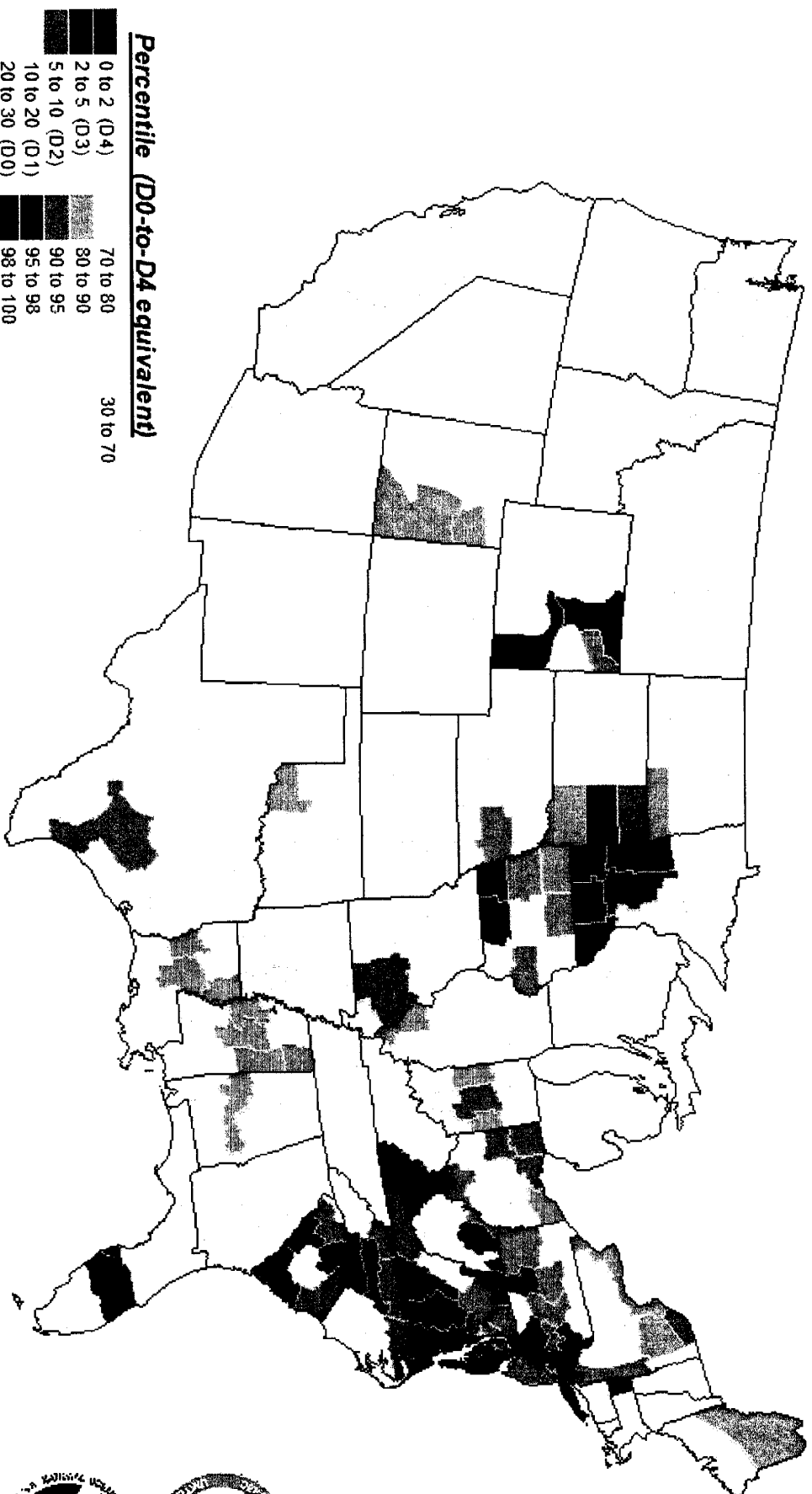
WHEREAS, September 2005 ranks as the 6th warmest September on record in the region; and

WHEREAS, Chesterfield County has approximately 11,690 acres of agricultural crops that have been severely damaged by droughty conditions; and

WHEREAS, The current estimate of losses to Chesterfield County farmers is approximately \$815,396.

BE IT THEREFORE RESOLVED, that the Board of Supervisors respectfully requests that Mark R. Warner, Governor of the Commonwealth of Virginia declare Chesterfield County an agricultural disaster area, thereby qualifying Chesterfield County producers for any state and federal assistance that may become available.

Short-term blend of Impacts



Agriculture
Topsoil
Unregulated streamflow
Wildfire

October 1, 2005

000039

000040



Knowledge for the Common Weal



VIRGINIA STATE UNIVERSITY



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: October 12, 2005

Item Number: 8.B.2.

Subject: Appropriation of \$150,000 to Replace the Geographic Information Services Server

County Administrator's Comments:

Recommend Approval

County Administrator: _____

SR

Board Action Requested:

The Department of Environmental Engineering requests the Board of Supervisors to appropriate \$150,000 from the GIS Reserve Account to purchase a replacement GIS server.

Summary of Information:

In August of 1997 the County purchased its existing Geographic Information Services server. This server was anticipated to support the GIS AIX operating system and the ArcInfo application software through FY 2003. Evolving technologies in both the operating system and the application software require a different processing environment. Although the County, through licensing agreements has available the newest upgrades to both the GIS operating system and applications software, the configuration of the existing server prevents their implementation. Ancillary to the systems and applications operation problem is the shrinking availability of data storage space on the existing server. Increased system use across departments as

CONTINUED NEXT PAGE

Preparer: Richard M. McElfish

Title: Director, Environmental Engineering

Attachments:



Yes



No

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000041

**CHESTERFIELD COUNTY
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Page 2 of 3

Summary of Information: (Continued)

well as an increase in the use of scanned images stored in the database has resulted in an exponential need for additional data storage space.

Funding exists for this appropriation in the GIS Reserve Account through the sale of GIS products. Monies collected for GIS products are specifically identified for the enhancements and upgrades to the GIS.

Recommendation:

Staff recommends the Board appropriate \$150,000 from the GIS Reserve Account to purchase a replacement GIS server.

000042



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 3 of 3

Meeting Date: **October 12, 2005**

Budget and Management Comments:

Each year, the revenue that is collected from the sale of printed maps, diskettes, and CD's is reserved for the upgrade of the GIS hardware and software. This revenue has been sufficient to cover a recent digital upgrade, and to purchase printers and software. Sufficient funds are available in the reserve to appropriate \$150,000 for a replacement server.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000043



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: October 12, 2005

Item Number: 8.B.3.a.

Subject:

Set Public Hearing to Consider Amending Chapter 10 of the County Code Relating to Fire Protection

County Administrator's Comments: *Recommend Nov. 9*

County Administrator: _____ *JMR*

Board Action Requested:

The Board is requested to set a public hearing for November 9, 2005 to consider the attached ordinance amending Chapter 10 of the County Code.

Summary of Information:

The Virginia Statewide Fire Prevention Code (VSFPC), which is enforced by the Fire Marshal's Office, provides that localities may amend state fire protection law to the extent that they make the law more stringent than the VSFPC. Traditionally, the County has amended the VSFPC to provide more stringent regulation in such areas as open burning and fireworks displays.

Recently, the State Department of Housing and Community Development promulgated changes to the VSFPC which will go into effect on November 16, 2005. Accordingly, the County needs to update its amendments to the VSFPC to reflect the changes which have been made by the State and which are about to go into effect. The attached proposed ordinance makes those changes.

In addition, the Fire Marshal is proposing one substantive change to the County's current fire prevention amendments. This change would require

Preparer: Paul W. Mauger

Title: Chief of Fire
0505:70189.1

Attachments:



Yes



No

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000044

**CHESTERFIELD COUNTY
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individuals who wish to put on pyrotechnics exhibitions to obtain a permit from the Board of Supervisors before doing so. This expands the current requirement for a permit for fireworks displays to include displays of pyrotechnic special effect devices which do not explode in the air. Such devices are typically used indoors for visual effects, and include the type of display used in the band performance which led to the recent tragic fire in Providence, Rhode Island. Requests for pyrotechnic permits would be reviewed to insure that the person engaging in the display has made adequate provisions for public safety and insurance. No fee would be required for the permit.

0505:70189.1

000045

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED BY AMENDING
AND RE-ENACTING SECTIONS 10-1, 10-3 AND 10-7 RELATING
TO FIRE PREVENTION

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Chapter 10 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 10-1. Fire prevention code adopted.

The county shall enforce the Virginia Statewide Fire Prevention Code promulgated by the Board of Housing and Community Development of the Commonwealth pursuant to Code of Virginia, § 27-98. The provisions of the Virginia Statewide Fire Prevention Code and chapter 10 of this Code shall be enforced by the Fire Marshal, or his duly authorized representative, hereafter referred to as the "fire official" at the direction of the Chief of the county fire department.

Sec. 10-3. Fire prevention code --Amendments, additions and deletions.

The Virginia Statewide Fire Prevention Code is hereby amended and changed pursuant to Code of Virginia, §27-97, in the following respects:

Chapter 1. Administration and Enforcement

106.3 Inspections: Delete and substitute 106.3 as follows:

The fire official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The fire official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body. The fire official may require the owner or owner's agent to inspect the owner's property or equipment in accordance with guidelines approved by the fire official.

106.8 Plans Review and Certificate of Occupancy: Add section 106.8 as follows:

The fire official shall assist the building official in the review of construction plans for compliance with the fire protection provisions of the Virginia Uniform Statewide Building Code for all structures and/or facilities, except detached one- and two-family dwellings, prior to the issuance of a building permit. Furthermore, the fire official shall assist the building official in performing inspections of new systems and structures prior to the issuance of the certificate of occupancy.

106.9 Fire Hydrants: Add section 106.9 as follows:

During the site and/or construction plans review process for construction or change in use of any building or structure, the fire official shall have the authority to require the installation of fire hydrants as he deems necessary to have water available for fire fighting purposes prior to the use of combustible materials in construction being commenced on any floor above the first or ground floor level. Such hydrants shall be accessible to fire fighting apparatus at the time they are installed and at all times thereafter. The fire official will determine the need for fire hydrants based on the use and size of the structure involved and the availability of water in the area of the property. The number of fire hydrants, their placement and the desired flow shall be determined by regulations established from nationally recognized standards.

106.10 Authority to Take Photographs: Add section 106.10 as follows:

The fire official or his duly authorized representative is authorized to make sketches and take photographs to document conditions he observes that he believes are violations of the provisions of this code. Subsequent to a fire, explosion, or other emergency, photographs may be taken as are necessary to adequately depict the conditions of the property for the purpose of investigation. No person shall prevent the fire official from making sketches or taking photographs.

107.2 Operational Permits add Table 107.2 as follows:

**TABLE 107.2.
OPERATIONAL PERMIT REQUIREMENTS**

DESCRIPTION	PERMIT REQUIRED (yes or no)	PERMIT FEE	INSPECTION FEE
Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.	No		
Amusement buildings. An operational permit is required to operate a special amusement building.	No		
Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	No		
Carnivals and fairs. An operational permit is required to conduct a carnival or fair.	No		
Battery systems. An operational permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).	No		
Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.	No		
Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	No		
Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m ³).			

Exception: An operational permit is not required for agricultural storage.	No																
Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle. PERMIT AMOUNTS FOR COMPRESSED GASES <table><tr><th>TYPE OF GAS</th><th>AMOUNT (cubic feet at NTP)</th></tr><tr><td>Corrosive</td><td>200</td></tr><tr><td>Flammable (except cryogenic fluids and liquefied petroleum gases)</td><td>200</td></tr><tr><td>Highly toxic</td><td>Any amount</td></tr><tr><td>Inert and simple asphyxiant</td><td>6,000</td></tr><tr><td>Oxidizing (including oxygen)</td><td>504</td></tr><tr><td>Toxic</td><td>Any amount</td></tr></table> For SI: 1 cubic foot = 0.02832 m ³	TYPE OF GAS	AMOUNT (cubic feet at NTP)	Corrosive	200	Flammable (except cryogenic fluids and liquefied petroleum gases)	200	Highly toxic	Any amount	Inert and simple asphyxiant	6,000	Oxidizing (including oxygen)	504	Toxic	Any amount	No		
TYPE OF GAS	AMOUNT (cubic feet at NTP)																
Corrosive	200																
Flammable (except cryogenic fluids and liquefied petroleum gases)	200																
Highly toxic	Any amount																
Inert and simple asphyxiant	6,000																
Oxidizing (including oxygen)	504																
Toxic	Any amount																
Covered mall buildings. An operational permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.	No																
Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below. Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.	No																
Cutting and welding. An operational permit is required to conduct cutting or welding operations within the jurisdiction.	No																
Dry cleaning plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	No																
Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.	No																
Explosives, ammunition and blasting agents: Storage, approved overnight Transportation, each vehicle Use, each site or location Firm or company license	Yes	\$65.00															
Extremely Hazardous Substances (EHS)	No																
Fireworks Retailer and/or Wholesaler Public <u>or private</u> Display	No Yes	\$0															
Fire hydrants and valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public. Exception: An operational permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.	No																
Flammable and combustible liquids. An operational permit is required: 1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) (see Section 3501.1.2) nor does it apply to piping systems (see Section 3503.6). 2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following: 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such	No																

storage, in the opinion of the fire official, would cause an unsafe condition.			
2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.			
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.			
4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.			
5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.			
6. To remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank.			
7. To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than that for which the tank was designed and constructed.			
8. To manufacture, process, blend or refine flammable or combustible liquids.			
Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids.	No		
Fruit and crop ripening. An operational permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	No		
Fumigation and thermal insecticidal fogging. An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.	No		
Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.	No		
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS			
TYPE OF MATERIAL	AMOUNT		
Combustible liquids	See flammable and combustible liquids		
Corrosive materials			
Gases	See compressed gases		
Liquids	55 gallons		
Solids	1000 pounds		
Explosive materials	See explosives		
Flammable materials			
Gases	See compressed gases		
Liquids	See flammable and combustible liquids		
Solids	100 pounds		
Highly toxic materials			
Gases	See compressed gases		
Liquids	Any amount		
Solids	Any amount		
Oxidizing materials			
Gases	See compressed gases		
Liquids			
Class 4	Any amount		
Class 3	1 gallon		
Class 2	10 gallons		
Class 1	55 gallons		
Solids			
Class 4	Any amount		
Class 3	10 pounds		
Class 2	100 pounds		
Class 1	500 pounds		

Organic peroxides Liquids Class I Any amount Class II Any amount Class III 1 gallon Class IV 2 gallons Class V No permit required Solids Class I Any amount Class II Any amount Class III 10 pounds Class IV 20 pounds Class V No permit required Pyrophoric materials Gases See compressed gases Liquids Any amount Solids Any amount Toxic materials Gases See compressed gases Liquids 10 gallons Solids 100 pounds			
<p style="text-align: center;">PERMIT AMOUNTS FOR HAZARDOUS MATERIALS</p> TYPE OF MATERIAL Unstable (reactive) materials Liquids Class 4 Any amount Class 3 Any amount Class 2 5 gallons Class 1 10 gallons Solids Class 4 Any amount Class 3 Any amount Class 2 50 pounds Class 1 100 pounds Water-reactive materials Liquids Class 3 Any amount Class 2 5 gallons Class 1 55 gallons Solids Class 3 Any amount Class 2 50 pounds Class 1 500 pounds <p style="text-align: center;">For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.</p>	No		
HPM facilities. An operational permit is required to store, handle or use hazardous production materials.	No		
High piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²).	No		
Hot work operations. An operational permit is required for hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a construction permit. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's	No		

hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in this chapter. These permits shall be issued only to their employees or hot work operations under their supervision.			
Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 21.	No		
Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³) (236 m ³).	No		
Liquid- or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.	No		
LP-gas. An operational permit is required for: 1. Storage and use of LP-gas. Exception: An operational permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.	No		
Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.	No		
Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.	No		
Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Exception: Recreational fires and provided further that the County Administrator may administratively suspend the open burning fee for a temporary period of time after any national, state or local authority declares a disaster affecting all or a portion of the County.	Yes	\$400.00	
Open flames and candles. An operational permit is required to remove paint with a torch; use a torch or open-flame device in a hazardous fire area; or to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.	No		
Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.	No		
Places of Assembly/educational. An operational permit is required to operate a place of assembly/educational occupancy.	No		
Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants. Exception: An operational permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.	No		
Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.	No <u>YES</u>	<u>\$0</u>	
Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.	No		
Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	No		
Repair garages and service stations. An operational permit is required for operation of repair garages and automotive, marine and fleet service stations.	No		
Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.	No		
Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of	No		

combustible powders regulated by Chapter 15.			
Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.	No		

**TABLE 107.2.
OPERATIONAL PERMIT REQUIREMENTS**

DESCRIPTION	PERMIT REQUIRED (yes or no)	PERMIT FEE	INSPECTION FEE
Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet (84 m ²) or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons. 3. Fabric canopies and awnings open on all sides which comply with all of the following: 3.1. Individual canopies shall have a maximum size of 700 square feet (65 m ²). 3.2. The aggregate area of multiple canopies placed side by side without a firebreak clearance of 12 feet (3658 mm) shall not exceed 700 square feet (65m ²) total. 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.	No		
Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	No		
Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.	No		
Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m ³).	No		

111.3 Failure to Correct Violations: Delete and substitute 111.3 as follows:

If the notice of violation is not complied with within the time specified by the fire official, the fire official may issue a summons for the violation of the code. The fire official may also request the county attorney to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of the unlawful use of the building or structure in violation of the provisions of this code or of any order or direction made pursuant to the code.

111.4 Penalties: Delete and substitute section 10-6 of the Chesterfield County Code.

Chapter 2. Definitions

202.0. General Definitions. Add the following definition:

The term "occupant" means any person physically located or situated in or on any property, structure or vehicle irrespective of the length of time or the reason for such occupancy.

Chapter 3. General Precautions Against Fire

307.1 Title and Purpose. Delete and substitute section 307.1 as follows:

This article shall be known as the Chesterfield County Ordinance for the Regulation of Open Burning. The purpose of this article is to protect public health, safety, and welfare by regulating open burning within Chesterfield County to achieve and maintain, to the greatest extent practicable, a level of air quality that will provide comfort and convenience while promoting economic and social development. This article is intended to supplement the applicable regulations promulgated by the State Air Pollution Control Board and other applicable regulations and laws.

307.2 Definitions. Delete and substitute section 307.2 as follows:

For the purpose of this article and subsequent amendments or any orders issued by Chesterfield County, the words or phrases shall have the meaning given them in this section.

- A. "Automobile graveyard" means any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found.
- B. "Bonfire" means an outdoor fire utilized for ceremonial purposes.
- C. "Clean burning waste" means waste which does not produce dense smoke when burned and is not prohibited to be burned under this ordinance.
- D. "Construction waste" means solid waste which is produced or generated during construction of structures. Construction waste consists of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metal and plastics if the metal or plastics are a part of the materials of construction or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids, and garbage are not construction wastes and the disposal of such materials must be in accordance with the regulations of the Virginia Waste Management Board.
- E. "Debris waste" means stumps, wood, brush, and leaves from property maintenance and/or land clearing operations.
- F. "Demolition waste" means that solid waste which is produced by the destruction of structures and their foundations and includes the same materials as construction waste.
- G. "Garbage" means rotting animal and vegetable matter accumulated by a household in the course of ordinary day to day living.

- H. "Hazardous waste" means refuse or combinations of refuse which, because of its quantity, concentration or physical, chemical or infectious characteristics may:
1. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or
 2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed, or otherwise managed.
- I. "Household refuse" means waste material and trash normally accumulated by a household in the course of ordinary day to day living.
- J. "Industrial waste" means all waste generated on the premises of manufacturing and industrial operations such as, but not limited to, those carried on in factories, processing plants, refineries, slaughterhouses, and steel mills.
- K. "Junkyard" means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary landfills.
- L. "Landfill" means a sanitary landfill, an industrial waste landfill, or a construction/demolition/debris landfill. See solid waste management regulations for further definitions of these terms.
- M. "Local landfill" means any landfill located within the jurisdiction of a local government.
- N. "Occupied building" means any structure occupied or intended for supporting or sheltering any occupancy.
- O. "Open burning" means the burning of any matter in such a manner that the products resulting from combustion are emitted directly into the atmosphere without passing through a stack, duct or chimney.
- P. "Open pit incinerator" means a device used to burn waste for the primary purpose of reducing the volume by removing combustible matter. Such devices function by directing a curtain of air at an angle across the top of a trench or similarly enclosed space, thus reducing the amount of combustion by-products emitted into the atmosphere. The term also includes trench burners, air curtain destructors and overdraft incinerators.
- Q. "Refuse" means trash, rubbish, garbage and other forms of solid or liquid waste, including, but not limited to, wastes resulting from residential, agricultural,

commercial, industrial, institutional, trade, construction, land clearing, forest management and emergency operations.

- R. "Salvage operation" means any operation consisting of a business, trade or industry participating in salvaging or reclaiming any product or material, such as, but not limited to, reprocessing of used motor oils, metals, chemicals, shipping containers or drums, and specifically including automobile graveyards and junkyards.
- S. "Sanitary landfill" means an engineered land burial facility for the disposal of household waste which is so located, designed, constructed, and operated to contain and isolate the waste so that it does not pose a substantial present or potential hazard to human health or the environment. A sanitary landfill also may receive other types of solid wastes, such as commercial solid waste, nonhazardous sludge, hazardous waste from conditionally exempt small quantity generators, and nonhazardous industrial solid waste. See solid waste management regulations for further definitions of these terms.
- T. "Smoke" means small gas-borne particulate matter consisting mostly, but not exclusively, of carbon, ash and other material in concentrations sufficient to form a visible plume.
- U. "Special incineration device" means a pit incinerator, conical or tepee burner, or any other device specifically designed to provide good combustion performance.

307.3 Open Burning Regulations. Delete and substitute Section 307.3 as follows:

- A. No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of refuse except as provided in this ordinance.
- B. No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of household refuse or garbage.
- C. No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of rubber tires, asphaltic materials, crankcase oil, impregnated wood or other rubber or petroleum based materials except when conducting bona fide fire fighting instruction at fire fighting training schools having permanent facilities.
- D. No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of hazardous waste or containers for such materials.

- E. No owner or other person shall cause or permit open burning or the use of a special incineration device for the purpose of a salvage operation or for the disposal of commercial/industrial waste.
- F. Open burning or the use of special incineration devices permitted under the provisions of this ordinance does not exempt or excuse any owner or other person from the consequences, liability, damages or injuries which may result from such conduct; nor does it excuse or exempt any owner or other person from complying with other applicable laws, ordinances, regulations and orders of the governmental entities having jurisdiction, even though the open burning is conducted in compliance with this ordinance. In this regard special attention should be directed to Code of Virginia, §10.1-1142, of the Forest Fire Law of Virginia, the regulations of the Virginia Waste Management Board, and the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution.
- G. Upon declaration of an alert, warning or emergency stage of an air pollution episode as described in part VII of the Regulations for the Control and Abatement of Air Pollution or when deemed advisable by the state air pollution control board to prevent a hazard to, or an unreasonable burden upon, public health or welfare, no owner or other person shall cause or permit open burning or use of a special incineration device, and any in process burning or use of special incineration devices shall be immediately terminated in the designated air quality control region.

307.3.1 Exemptions. Add subsection 307.3.1 as follows:

The following activities are exempted from the above prohibitions to the extent covered by the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution:

- A. Open burning for training and instruction of government and public fire fighters under the supervision of the designated official and industrial in-house fire fighting personnel;
- B. Open burning for camp fires or other fires that are used solely for recreational purposes, for ceremonial occasions, for outdoor noncommercial preparation of food, and for warming of outdoor workers;
- C. Open burning for the destruction of any combustible liquid or gaseous material by burning in a flare or flare stack;
- D. Open burning for forest management and agriculture practices approved by the state air pollution control board; and
- E. Open burning for the destruction of classified military documents.

307.3.2 Permissible open burning. Add subsection 307.3.2 as follows:

- A. Open burning is permitted for the disposal of tree trimmings and garden trimmings located on the premises of private property, provided that the following conditions are met:
1. A written permit, valid for thirty (30) days, must be obtained from the Chesterfield Fire & EMS, Fire and Life Safety Division. Application for permit shall include: completed information form, the name, address and telephone number of the occupant and, if different, owner of the property on which the burn is conducted and of any other entity conducting or responsible for the burn. Application shall be submitted to the Fire and Life Safety Division at least 15 days before the desired burn; and
 2. A copy of the burn permit shall be maintained at the site of the burn, shall be available for review at all times during the burn, shall be displayed so as to be visible from a public roadway and shall be maintained in a manner that protects it from deterioration by weather; and
 3. The burning shall take place on the premises of the private property from which the trimmings were taken; and all reasonable effort shall be made to minimize the amount of material burned, with the number and size of the piles approved by Chesterfield County Fire & EMS, Fire and Life Safety Division; and
 4. The location of the burning shall be a minimum of 300 feet from any occupied building unless the occupants have given prior written permission, other than buildings located on the property on which the burning is conducted. If the Chesterfield County Fire & EMS, Fire and Life Safety Division determines that it is necessary to protect public health and welfare, it may direct that the above cited distances be increased; and
 5. All fires must be at least 50 feet from any structure; and
 6. Permitted fires shall be constantly attended by a competent person until they are extinguished. The attendee shall have fire extinguishing equipment readily available for use as deemed necessary by the code official; and
 7. No regularly scheduled public or private collection service for such trimmings is available at the adjacent street or public road, and
 8. Permits for burning tree trimmings and/or garden trimmings shall be limited to two per site per year.

B. Open burning is permitted for disposal of debris waste resulting from property maintenance, from the development or modification of roads and highways, parking areas, railroad tracks, pipelines, power and communication lines, buildings or building areas, sanitary landfills, or from any other designated local clearing operations which may be approved by Chesterfield Fire & EMS, Fire and Life Safety Division, provided the following conditions are met:

1. A written permit, valid for ninety (90) days, must be obtained from the Chesterfield Fire & EMS, Fire and Life Safety Division. Application for permit shall include: Fee for permit, completed information form, site plan drawing of burn site, proof of liability insurance for party performing burn, and the name, address and telephone number of the owner and, if different, developer of the property on which the burn is conducted and of any other entity conducting or responsible for the burn. Application shall be submitted to the Fire and Life Safety Division at least 15 days before the desired burn.
2. A copy of the burn permit shall be maintained at the site of the burn, shall be available for review at all times during the burn, shall be displayed so as to be visible from a public roadway and shall be maintained in a manner that protects it from deterioration by weather; and
3. The burning shall take place on the site from which the debris waste was generated. All reasonable effort shall be made to minimize the amount of material burned, with the number and size of the debris piles approved by Chesterfield County Fire & EMS, Fire and Life Safety Division;
4. The material to be burned shall consist of brush, stumps and similar debris waste and shall not include demolition material;
5. The location of the burning shall be a minimum of 500 feet from any occupied building unless the occupants have given prior written permission, other than buildings located on the property on which the burning is conducted. If the Chesterfield County Fire & EMS, Fire and Life Safety Division determines that it is necessary to protect public health and welfare, it may direct that the above cited distances be increased; and
6. The burning shall be conducted at the greatest distance practicable from highways and airfields;
7. Permitted fires shall be constantly attended by a competent person until they are extinguished and conducted to ensure the best possible combustion with a minimum of smoke being produced. The attendee shall have fire extinguishing equipment readily available for use as deemed necessary by the code official;

8. The burning shall not be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials; and
 9. The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.
 10. The permit holder must maintain liability insurance in the minimum amount of \$1,000,000 general liability coverage at all times while burning is taking place. At the time of permit application, a certificate of insurance coverage shall be submitted to the fire marshal; and
- C. Open burning is permitted for disposal of debris on the site of local landfills provided that the burning does not take place on land that has been filled and covered so as to present an underground fire hazard due to the presence of methane gas, provided that the following conditions are met:
1. A written permit, valid for ninety (90) days, must be obtained from the Chesterfield Fire & EMS, Fire and Life Safety Division. Application for permit shall include: fee for permit, completed information form, site plan drawing of burn site, proof of liability insurance for party performing burn;
 2. The burning shall take place on the premises of a local sanitary landfill which meets the provisions of the regulations of the Virginia Waste Management Board;
 3. Permitted fires shall be constantly attended by a competent person until they are extinguished and conducted to ensure the best possible combustion with a minimum of smoke being produced. The attendee shall have fire extinguishing equipment readily available for use as deemed necessary by the code official;
 4. The material to be burned shall consist only of brush, tree trimmings, yard and garden trimmings, clean burning debris waste, or clean burning demolition waste;
 5. All reasonable effort shall be made to minimize the amount of material that is burned; with the number and size of the debris piles approved by Chesterfield County Fire & EMS, Fire and Life Safety Division;
 6. The location of the burning shall be a minimum of five hundred (500) feet from any occupied building unless the occupants have given prior written permission, other than buildings located on the property on which the burning is conducted. If the Chesterfield County Fire & EMS, Fire and Life Safety Division determines that it is necessary to protect public health and welfare, it may direct that the above cited distances be increased;

7. No materials may be burned in violation of the regulations of the Virginia Waste Management Board or the State Air Pollution Control Board. The exact site of the burning on a local landfill shall be established in coordination with the regional director and Chesterfield County Fire & EMS, Fire and Life Safety Division; no other site shall be used without the approval of these officials. Chesterfield County Fire & EMS, Fire and Life Safety Division shall be notified of the days during which the burning will occur.
 8. The permit holder must maintain liability insurance in the minimum amount of \$1,000,000 general liability coverage at all times while burning is taking place. At the time of permit application, a certificate of insurance coverage shall be submitted to the fire marshal.
- D. Sections A through C above notwithstanding, no owner or other person shall cause or permit open burning or the use of a special incineration device during the months of June, July, or August.

307.3.3 Permits. Add subsection 307.3.3 as follows:

- A. When open burning of debris waste or open burning of debris on the site of a local landfill is to occur within Chesterfield County, the person responsible for the burning shall obtain a permit from Chesterfield County Fire & EMS, Fire and Life Safety Division prior to the burning. Such a permit may be granted only after confirmation by Chesterfield County Fire & EMS, Fire and Life Safety Division that the burning can and will comply with the provisions of this ordinance and any other conditions which are deemed necessary to ensure that the burning will not endanger the public health and welfare or to ensure compliance with any applicable provisions of the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution. The permit may be issued for each occasion of burning or for a specific period of time deemed appropriate by Chesterfield County Fire & EMS, Fire and Life Safety Division.
- B. Prior to the initial installation (or reinstallation, in cases of relocation) and operation of special incineration devices, the person responsible for the burning shall obtain a permit from Chesterfield County Fire & EMS, Fire and Life Safety Division, such permits to be granted only after confirmation by Chesterfield County Fire & EMS, Fire and Life Safety Division that the burning can and will comply with applicable provisions in Regulations for the Control and Abatement of Air Pollution and that any conditions are met which are deemed necessary by Chesterfield County Fire & EMS, Fire and Life Safety Division to ensure that the operation of the devices will not endanger the public health and welfare. Permits granted for the use of special incineration devices shall at a minimum contain the following conditions:

1. All reasonable effort shall be made to minimize the amount of material that is burned. Such efforts shall include, but are not limited to, the removal of pulpwood, sawlogs and firewood.
2. The material to be burned shall consist of brush, stumps and similar debris waste and shall not include demolition material.
3. The location of the burning shall be a minimum of 500 feet from any occupied building unless the occupants have given prior permission, other than buildings located on the property on which the burning is conducted; burning shall be conducted at the greatest distance practicable from highways and air fields. If the Chesterfield County Fire & EMS, Fire and Life Safety Division determines that it is necessary to protect public health and welfare, he may direct that the above cited distances be increased.
4. The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced. Under no circumstances should the burning be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials.
5. The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.
6. The use of special incineration devices shall be allowed only for the disposal of debris waste, clean burning construction waste, and clean burning demolition waste.
7. Permits issued under this subsection shall be limited to a specific period of time deemed appropriate by Chesterfield County Fire & EMS, Fire and Life Safety Division.

307.3.4 Attendance at Open Fires. Add subsection 307.3.4 as follows:

Permitted fires shall be constantly attended by a competent person until they are extinguished. The attendee shall have fire extinguishing equipment readily available for use as deemed necessary by the code official.

307.3.5 Endangering Other Property. Add subsection 307.3.5 as follows:

No person shall kindle or authorize to be kindled or maintain any permitted fire in such a manner that it will endanger the property of another.

307.3.6 Revocation of Permits. Add subsection 307.3.6

If any permit holder violates any provision of this ordinance or if any permit holder makes a material misrepresentation on a permit application, The Fire Marshal may

require the extinguishments of the fire and the burn permit shall be subject to revocation;

307.4 Fees. Delete and substitute section 307.4 as follows:

1. There shall be no fees for the permit required by Section 307.3.2(A)
2. Fees for permits required by section 307.3.2(B) and (C) and shall be
.....\$400.00

~~307.5~~ 308.3.1 Add the following sentences to the end of section ~~307.5~~ 308.3.1.

The owner or manager of any occupancy in Use Group R shall notify their tenants in writing of this code requirement at the time the tenants initially occupy the apartment and annually thereafter. A copy of this written notification shall be available for review by the code official.

~~307.5~~ 308.3.1 Delete exception 2.

~~307.7~~ 308.5.3 Sweating Joints. Add section ~~307.7~~ 308.5.3 as follows:

Any person using a torch or other flame-producing device for sweating pipe joints in any building or structure shall have available in the immediate vicinity, one approved fire extinguisher or water hose connected to a water supply. Combustible material in the close proximity of the work shall be protected against ignition by shielding, wetting, or other approved means. In all cases, the person performing the work shall remain in the vicinity of the sweating operation for one-half hour after the torch or flame-producing device has been used.

315.4 Materials Storage Regulation. Add subsection 315.4 as follows:

No person shall store any combustible packing cases, boxes, barrels or similar containers or rubber tires, baled cotton, rubber, cork or other similarly combustible materials of a gross volume of greater than 2,500 cubic feet (70 m³) in any structure or on any premises, except under conditions approved by the code official.

~~307.6~~ 315.5 Storage, Park or Repair. Add subsection ~~307.6~~ 315.5 as follows:

No person shall store, park or repair any vehicle, tool or equipment that has a fuel tank that contains a flammable or combustible liquid or liquefied petroleum gas as a source of fuel within or on any occupancy in Use Group R, or part thereof, unless such building or structure is built for the purpose of such storage, parking or repairing in accordance with all requirements of the Uniform Statewide Building Code and this code. The owner or manager of any occupancy in Use Group R shall notify their tenants in writing of this code requirement at the time the tenants initially occupy the apartment and annually

thereafter. A copy of this written notification shall be available for review by the code official. This section shall not apply to detached one- and two-family dwellings unless such storage, parking or repairing is conducted as a business. Such businesses must then comply with all applicable provisions of the Uniform Statewide Building Code and the Chesterfield County Code.

~~315.6 Storage or Display in Roofed Over Malls. Add subsection 315.6 as follows:~~

~~Combustible goods, merchandise, decorations or vehicles may be displayed or placed in the common areas of a roofed over mall only if such display or placement is in compliance with regulations established by the code official. It shall be the responsibility of the owner, manager or his designated representative to notify the code official prior to such usage of the roofed over mall.~~

Chapter 5. Fire Service Features

~~502.0~~ 502.1. General Definitions. Delete and substitute the following definition:

Fire Lane. An area designated by clearly visible signs and/or markings in which parking shall be prohibited, whether on public or private property, to ensure ready access for and to fire fighting equipment and facilities.

~~503.1 Where Required. Delete and substitute 503.1 as follows:~~

~~The code official may designate fire lanes on public streets and on private property devoted to public use for the purpose of permitting proper access to fire hydrants or for fire fighting equipment. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1 through 503.1.3~~

~~503.7~~ 503.8 Illegal Use. Add subsection ~~503.7~~ 503.8 as follows:

1. No person shall park or leave an unattended vehicle in or otherwise obstruct with a vehicle any designated or marked fire lane.
2. No person shall place or locate any equipment, materials, or any other object in or otherwise obstruct any designated or marked fire lane.
3. The penalty for violation of section ~~503.7(1)~~ 503.8(1) shall be the same as outlined for other parking violations in the Chesterfield County Code. The penalty for violation of section ~~503.7(2)~~ 503.8(2) shall be the same as for all other violations of this chapter.

Chapter 9 Fire Protection Systems

901.5.2 Altering or Changing Supervisory Services. Add subsection 901.5.2 as follows:

The code official shall be notified prior to any alterations to the supervisory service equipment or if the agent providing supervisory service changes for any required fire protection system. Functional testing shall be conducted prior to the system being returned to service. The level of testing will be determined by the code official. All testing shall be conducted in the presence of the code official and appropriate documentation shall be provided to the code official to verify that the system is being supervised as designed and in accordance with the building code in effect at the time of installation.

~~901.6.1.2~~ 901.6.1.1 Limited Area Sprinkler Systems. Add subsection ~~901.6.1.2~~ 901.6.1.1 as follows:

All limited area sprinkler systems shall be inspected annually and maintained according to NFPA 25 and in accordance with the following standards:

1. The sprinkler control valve shall be permanently marked with a sign stating "Sprinkler Control Valve." Markings made with embossed plastic tape, pencil, ink, crayon, or similar materials shall not be considered permanent. The sign shall be secured with noncorrosive wire, chain, or other means.
2. Markings shall be provided in a conspicuous place at the sprinkler control valve and shall state: "Notify the Fire Department (748-6240) before closing valve."
3. Valves connecting the limited area sprinkler system to the domestic water supply shall be locked open in an approved manner.

901.6.3 Reporting Results of Periodic Tests. Add subsection 901.6.3 as follows:

The individual or company performing any test or inspection required under this article shall provide the code official with a complete written record of the test or inspection within 15 days after it is conducted. Such written record shall note plainly which standard, as referenced by this code, was used for the test or inspection.

904.11.6.1 Ventilation System. Delete and substitute subsection 904.11.6.1 as follows:

The ventilation system in connection with hoods shall be operated at the required rate of air movement, and classified grease filters shall be in place when equipment under a kitchen grease hood is used. Cooking appliances, which require a commercial kitchen exhaust hood system, shall not be operated while the fire suppression system or kitchen exhaust system is non-operational or otherwise impaired.

904.11.6.6 Manual Operations. Add subsection 904.11.6.6 as follows:

Instructions for manually operating the fire suppression system for the commercial kitchen exhaust system shall be posted conspicuously in the kitchen and shall be reviewed periodically with employees by the management.

~~907.20.1.2 Alarm Activations. Add subsection F 501.7 as follows:~~

907.21 Nuisance Alarm Activations. Add section 907.21 as follows:

The owner and/or the occupant of any structure served by a fire protection system which has activated on two or more occasions when no fire, unsafe condition or other hazard has occurred, shall repair the system or correct conditions which are causing the system to activate.

Chapter 10. Means of Egress

~~1003.1.1 Overcrowding. A person shall not permit overcrowding or admittance of any person beyond the approved occupant load. The fire official, upon finding overcrowded conditions or obstruction in aisles, passageways or other means of egress, or upon finding any condition which constitutes a hazard to life and safety, shall cause the occupancy, performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected and the addition of any further occupants shall be prohibited until the approved occupant load is reestablished.~~

~~1011.5~~ 1027.6. Marking Means of Egress. Add subsection ~~1011.5~~ 1027.6 as follows:

The code official may require the means of egress through storage areas to be marked, and the owner or his agent shall be responsible for marking and maintaining such aisles as required.

Chapter 27. Hazardous Materials – General Provisions

2702.1 Definitions. Delete and substitute the following definition:

Hazardous Materials. Those chemicals or substances which are physical hazards or health hazards as defined and classified in Chapter 28, whether the materials are in usable or waste condition, including flammable and combustible liquids.

Chapter.33 Explosives and Fireworks

3301.1.3.1. Fireworks Prohibited. Add subsection 3301.1.3.1 as follows:

Permissible fireworks, as defined in the Statewide Fire Prevention Code, shall not be possessed, stored, sold, used or handled in Chesterfield County.

~~3302.1 Delete the following definition from 3302.1:~~

~~Permissible Fireworks~~

~~3302.1 Add the following exception to definition of Fireworks.~~

~~Exception:~~

~~The term fireworks shall not include automobile flares, paper caps containing not more than an average of .25 grains (16 mg) of explosive content per cap, or any toy pistols, toy canes, toy guns, and other devices using such caps.~~

3308.1 General. Add the following text to 3308.1:

A permit shall be required for the ~~public~~ display of fireworks.

3308.2 Permit Application. Add the following text to 3308.2:

Application for permits shall be made in writing at least 60 days in advance of the date of the display or discharge of fireworks. The sale, possession, discharge and distribution of fireworks for display shall be lawful only under the terms and conditions, and for the purpose set forth in the permit. A permit shall not be transferable, and shall not extend beyond the dates set forth in the permit.

3308.11.1 Violations. Add subsection 3308.11.1 as follows:

No person shall store, possess, offer for sale, expose for sale, sell at retail or use or explode any fireworks, except as provided in the rules and regulations issued by the code official for the granting of permits for supervised ~~public~~ displays of fireworks.

Chapter 34. Flammable and Combustible Liquids

3404.1.1 Prohibited Storage. Add subsection 3404.1.1 as follows:

The storage of flammable and combustible liquid shall be prohibited in occupancies of Use Group A, R-1, R-2, and in rental storage facilities.

3406.5.1.6 Fire Protection. Delete and substitute 3406.5.1.6 as follows:

Whenever tank vehicles are automatically loaded with flammable liquids at bulk storage terminals without an employee in attendance, the loading rack area shall be protected by a completely automatic fire suppression system approved by the code official. The system shall be designed to provide fire protection to both the loading rack and tank vehicles and shall be supervised by an accredited central station facility.

Chapter ~~36~~ 38. Liquified Petroleum Gases

~~3603.4~~ 3801.4. Emergency Services. Add subsection ~~3603.4~~ 3804.1 as follows:

Anyone who supplies liquefied petroleum gas service shall have a qualified maintenance person available at all times to assist fire department personnel with emergency incidents involving the service.

~~3605.6.1. Portable Containers. Add Subsection 3605.6.1 as follows:~~

~~Installation and operation of liquefied petroleum containers offered for sale or exchange shall comply with regulations established by the code official.~~

3809.13. Delete and substitute section 3809.13 as follows:

Protection of Containers. Containers shall be placed in a suitable enclosure or otherwise protected against tampering. The enclosure shall be secured to the sidewalk, concrete pad, or building to avoid tipping or movement of the enclosure. The servicing company's name and 24-hour phone number and "NO SMOKING" signs shall be provided and maintained on the enclosure. Vehicular protection shall be provided as required by the fire official.

APPENDICES

The following appendices of the International Fire Code, ~~2000~~ 2003 edition shall be an enforceable part of this code:

Appendix B – Fire-flow Requirements for Buildings

B105.2. Exception. Delete and substitute the following exception to Section B105.2

Exception: A reduction in required fire flow of up to 75 percent, as approved, is allowed when the building is provided with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code. The resulting fire flow shall not be less than 1,500 gallons per minute.

Appendix C - Fire Hydrant Locations and Distribution

Appendix D – Fire Apparatus Access Roads

Exception: Section D106 and Section D107 shall not be included in this code.

(2) *That this ordinance shall become effective November 16, 2005.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 8.B.3.b.

Subject:

Set Public Hearing to Consider the Receipt and Appropriation of Grant Funds from the Federal Emergency Management Agency (FEMA) through the Hazard Mitigation Grant Program (HMGP)

County Administrator's Comments: *Recommend Nov. 9*

County Administrator: *[Signature]*

Board Action Requested:

The Board of Supervisors is requested to set a public hearing date of November 9, 2005 to consider the receipt and appropriation of \$769,589 in federal and state grant funds from the Federal Emergency Management Agency through the Hazard Mitigation Grant Program. The Board is also requested to approve the receipt and appropriation of \$39,618 from the owners of the subject properties to satisfy the local match requirement of the grant.

Summary of Information:

The Federal Emergency Management Agency has approved funding through the Hazard Mitigation Grant Program for a project to purchase up to four homes located within the 100-year flood plain on Hudswell Lane. Tropical Depression Gaston damaged the homes in August of 2004.

This grant covers 95% (\$769,569) of the projected costs for mitigation and requires the owners of the properties to contribute the remaining 5% (\$39,618). Participation by the owners is voluntary. All affected property owners have been notified of their 5% obligation. No County dollars will be required.

Preparer: William D. Dupler

Title: Building Official

Attachments:

☐

Yes

☒

No

#000068



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: October 12, 2005

Budget and Management Comments:

This agenda item requests that the Board set a public hearing to consider the acceptance and appropriation of \$769,589 in grant funds from the Federal Emergency Management Agency through the Hazard Mitigation Grant Program. The grant funds include \$594,270 in federal project funds, \$158,472 in state project funds, and \$16,847 in federal funds for administrative overhead. The Board is also requested to consider the appropriation of homeowner contributions in the amount of \$39,618, which satisfies the local match requirement of the grant. No County funds are necessary. The completion date for the project is July 31, 2008.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000069



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 8.B.4.

Subject: Approval of Sewer Contract for 10517 Genito Lane Sewer Extension,
Contract Number 05-0201

County Administrator's Comments:

Recommend Approval

County Administrator:

[Signature]

Board Action Requested: Staff recommends that the Board of Supervisors approve this contract and authorize the County Administrator to execute any necessary documents.

Summary of Information:

This project includes an off-site extension of 108 L.F.± of 8" sewer line work. It also includes 10 L.F.± of additional 6" sewer line. Staff has requested that the additional sewer lateral be installed to provide service to the adjoining property on Genito Lane. In accordance with the ordinance, the Developer is entitled to refunds for the construction cost of the additional work and also refunds through connection fees for the construction cost of the off-site improvements.

Developer: Stuart G. Merting

Contractor: M. W. Wood, Inc.

Contract Amount:

Estimated County Cost for Additional Work	\$185.00
Estimated County Cost for Off-Site	\$1,611.50
Estimated Developer Cost	\$15,703.50
Estimated Total	\$17,500.00

Code: Refunds thru connections - Off-Site
Cash Refund - Additional Work

5N-572VO-E4D
5N-572WO-E4C

District: Bermuda

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:



Yes



No

#000070



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: October 12, 2005

Budget and Management Comments:

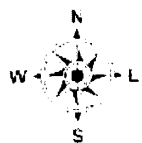
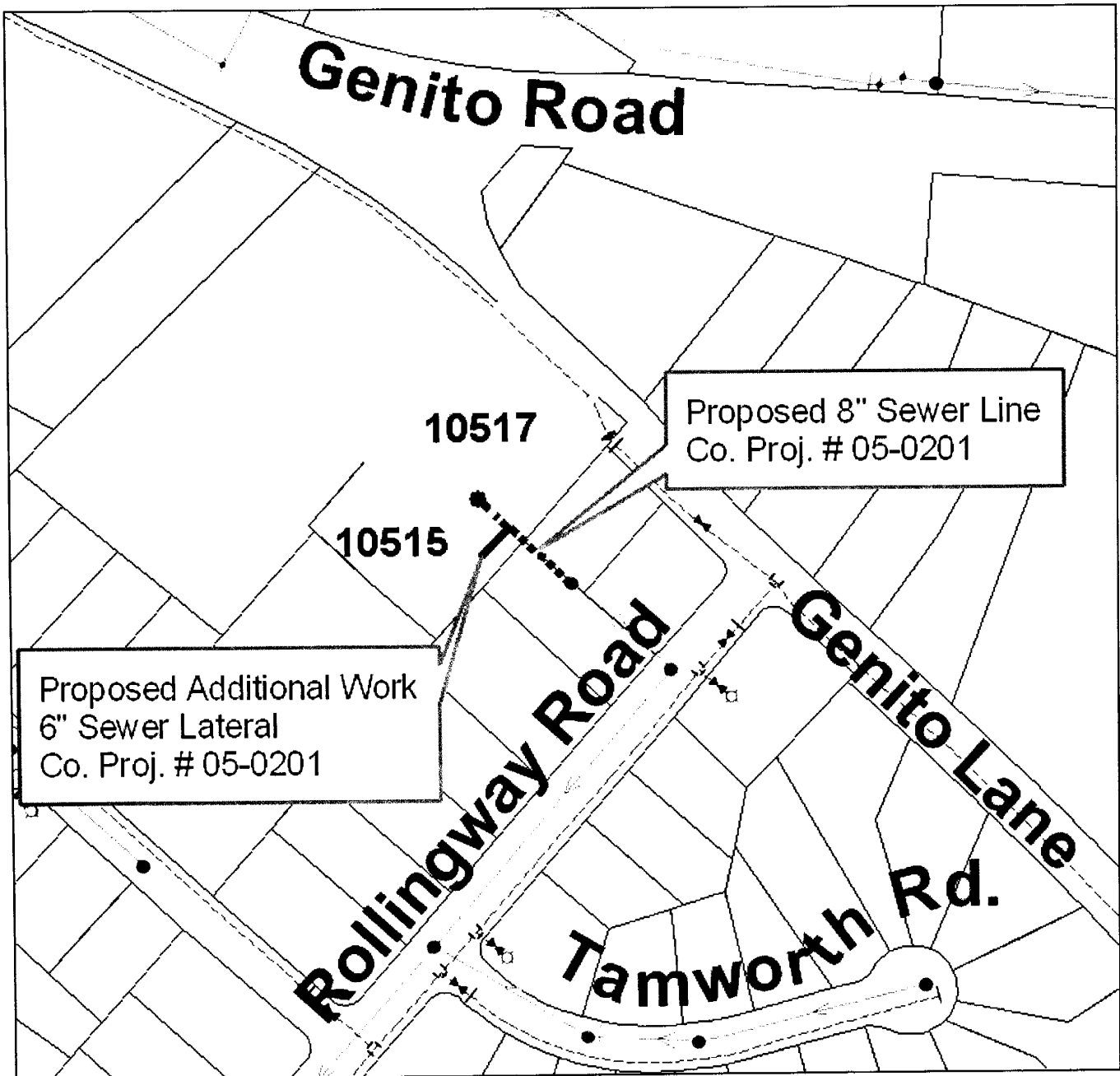
This item requests that the Board approve a contract to M.W. Wood, Inc. for the Genito Lane sewer extension project. County ordinance entitles the developer to refunds through connection fees and funding for refunds has been appropriated in the FY2006 budget. No additional appropriation is necessary to cover the cost for this project.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000071

VICINITY SKETCH
10517 Genito Lane Sewer Extension
County Project # 05-0201



Chesterfield County Department of Utilities



1 inch equals 155.94 feet

000072



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.a.

Subject: Request Permission to Install a Private Water Service Within a Private Easement to Serve Property at 321 Monath Road

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBK*

Board Action Requested: Grant Mike R. Zacharias permission to install a private water service within a private easement and authorize the County Administrator to execute the water connection agreement.

Summary of Information:

Mike R. Zacharias has requested permission to install a private water service within a private easement to serve property at 321 Monath Road. This request has been reviewed by staff and approval is recommended.

District: Clover Hill

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



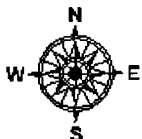
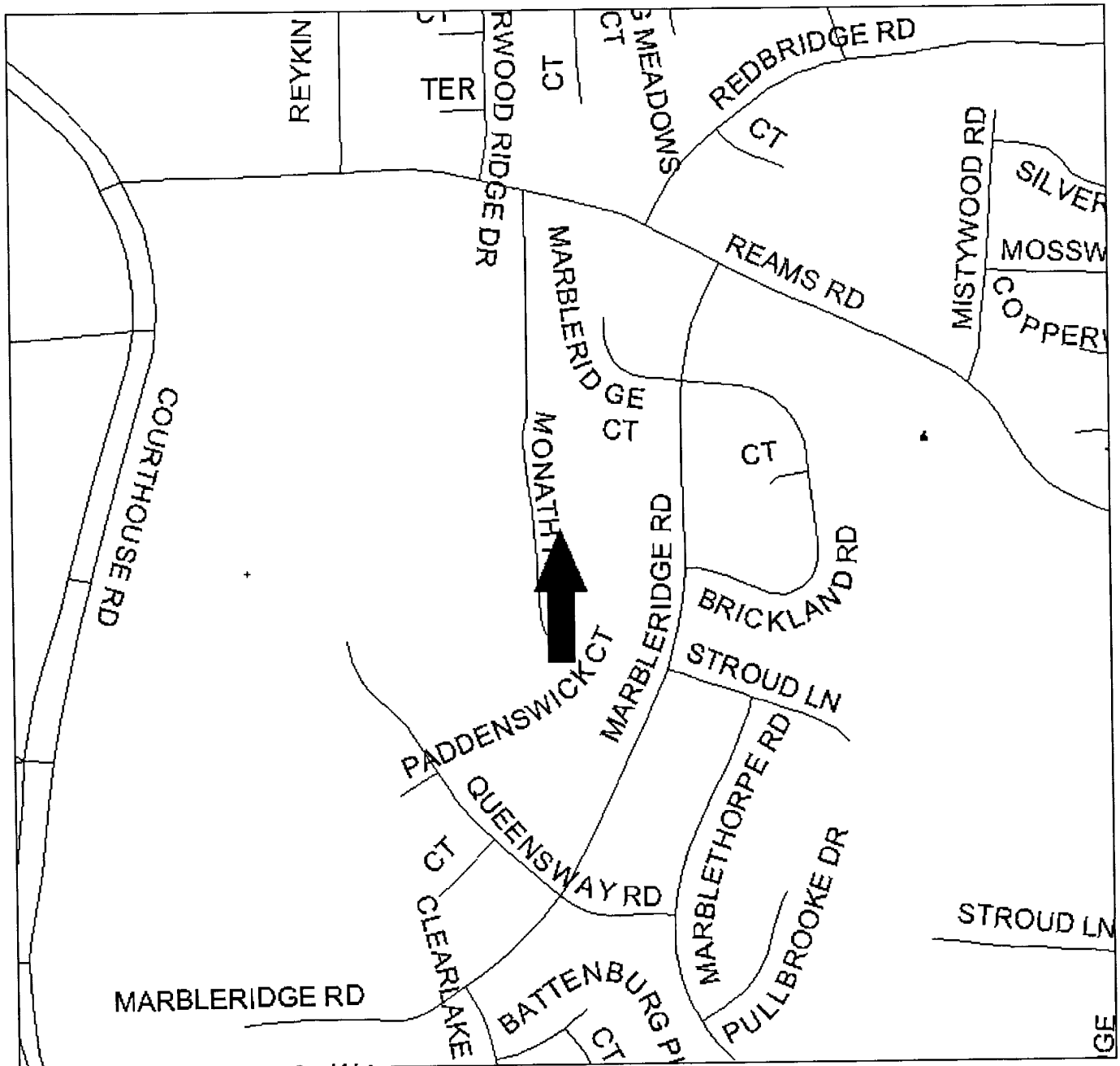
No

#

000073

VICINITY SKETCH

REQUEST PERMISSION TO INSTALL A PRIVATE
WATER SERVICE WITHIN A PRIVATE EASEMENT TO
SERVE PROPERTY AT 321 MONATH ROAD

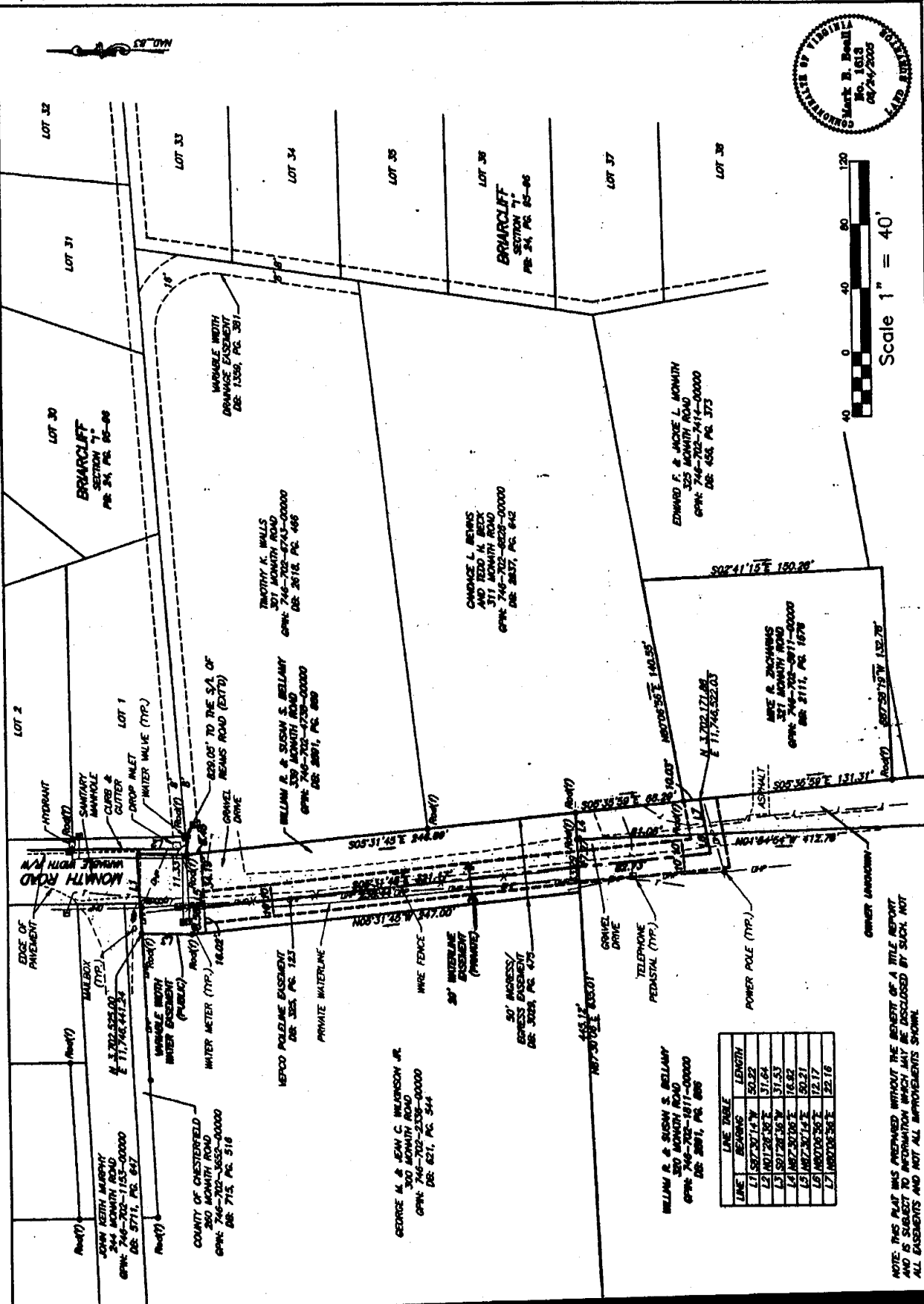


Chesterfield County Department of Utilities



1 inch equals 500 feet

000074



NOTE: THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH. NOT ALL EASEMENTS AND NOT ALL IMPROVEMENTS SHOWN.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.b.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 5, Rutherford Village at Charter Colony

County Administrator's Comments: *Recommend Approval*

County Administrator: _____

JBR

Board Action Requested: Grant Damon L. Cannady and Estela Cannady, permission for a proposed fence to encroach within an 8' easement across Lot 5, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Damon L. Cannady and Estela Cannady, have requested permission for a proposed fence to encroach within an 8' easement across Lot 5, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

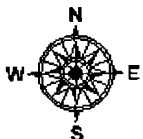
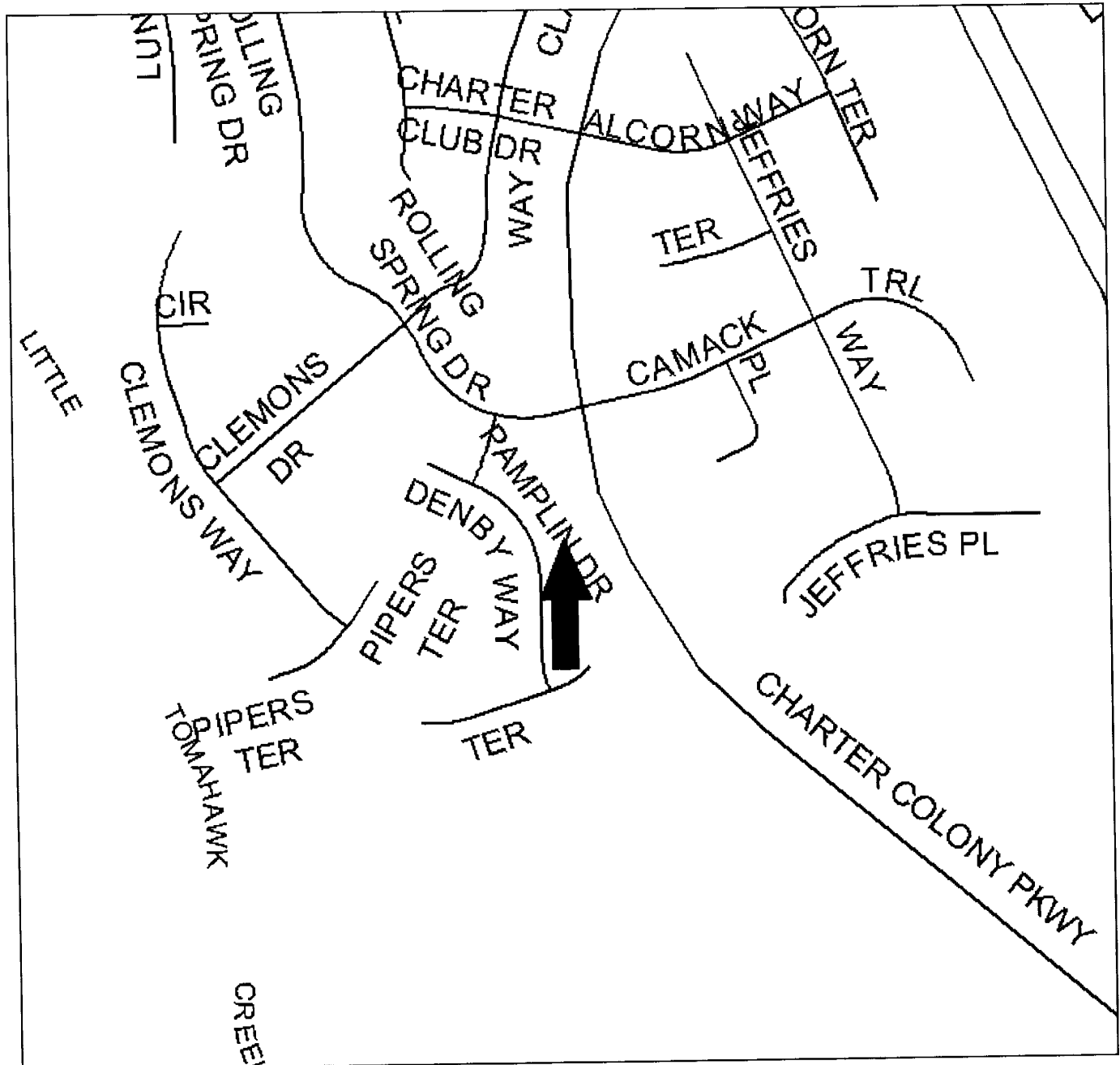


No

000076

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 5
RUTHERFORD VILLAGE AT CHARTER COLONY



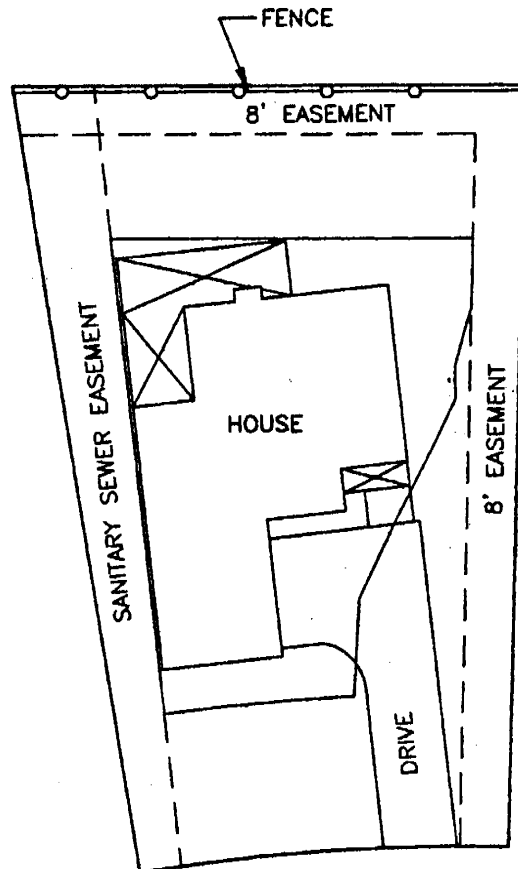
Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000077

LICENSED AREA



Damon L. Cannady
Estela Cannady
1619 Denby Way
DB. 6554 PG. 308
PIN: 7246986419

1619 DENBY WAY

Lot 5 Rutherford Village

Notes:

1. Brantley Plan
2. House not reversed with respect to plan
3. .21 Acres

Date: 8/25/05
Scale: 1" = 30'



000078



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.c.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 10, Tanner Village, Section C at Charter Colony

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Grant Lawrence Kent Clark and Patricia Ann Murphy Clark, permission for a proposed fence to encroach within an 8' easement across Lot 10, Tanner Village, Section C at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Lawrence Kent Clark and Patricia Ann Murphy Clark, have requested permission for a proposed fence to encroach within an 8' easement across Lot 10, Tanner Village, Section C at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

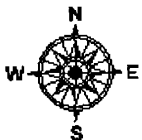
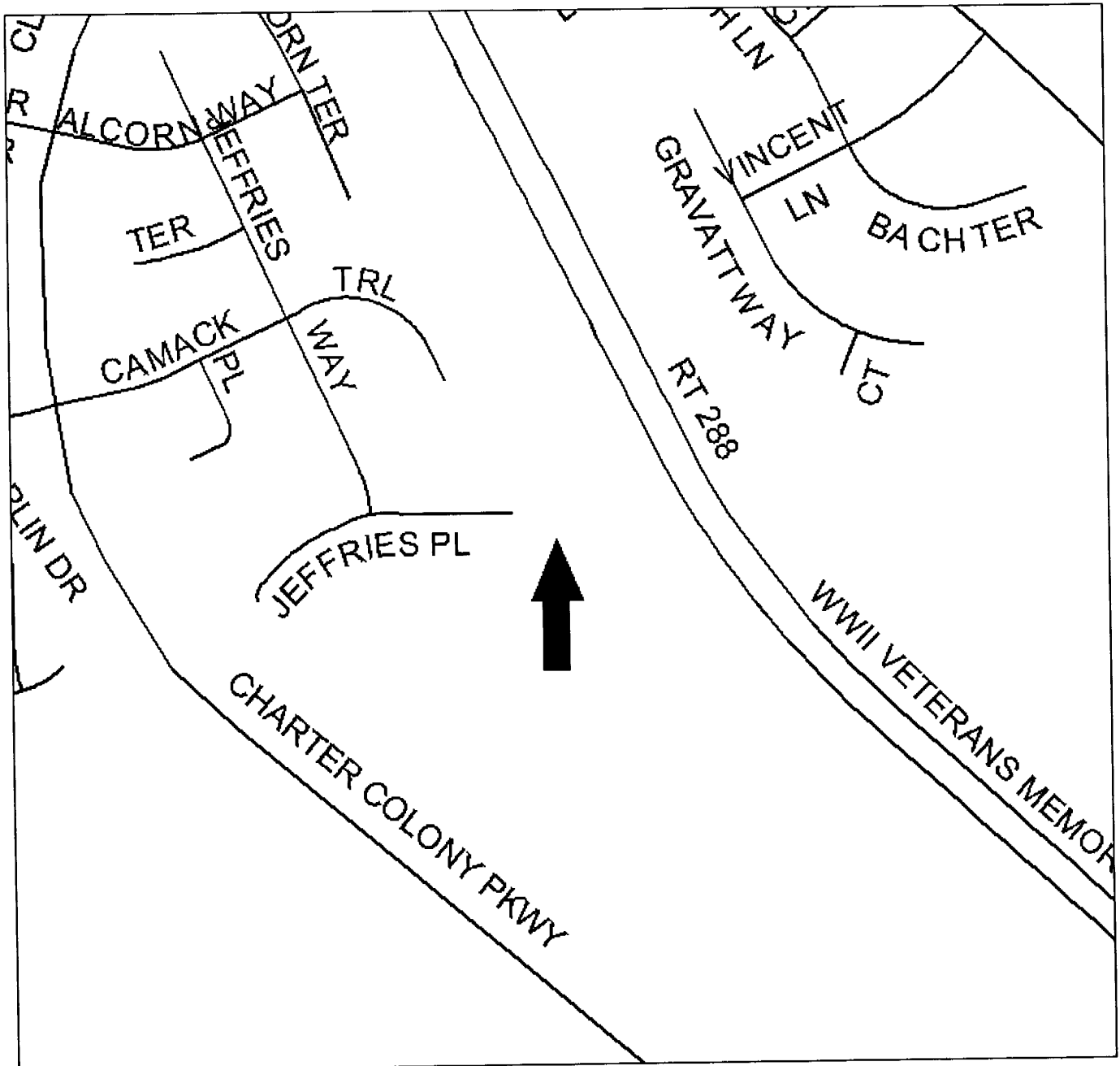


No

000079

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 10
TANNER VILLAGE SECTION C AT CHARTER COLONY



Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000080

THIS IS TO CERTIFY THAT ON MARCH 8, 2005 WE MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON. THAT ALL IMPROVEMENTS ARE SHOWN HEREON. THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN SHOWN HEREON.

BY: G. G. NICHOL
YOUNGLOOD, TYLER & ASSOCIATES, P.C.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO EASEMENTS OF RECORD WHICH ARE NOT SHOWN ON THIS PLAT.

THIS PROPERTY LIES WITHIN ZONE C ACCORDING TO THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL 510035 0024 B EFFECTIVE DATE MARCH 16, 1983.

UNDERGROUND POWER & TELEPHONE

XXX - LICENSED AREA

CROWN AREA

3-81-15-47
R-3300.75
L-73.76

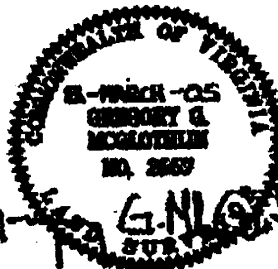
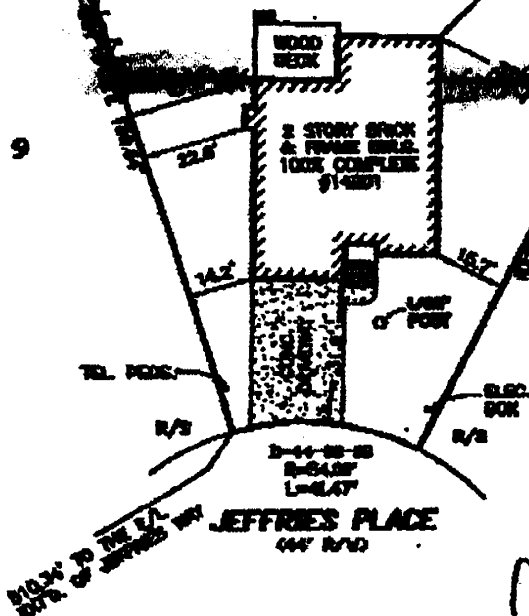
RIVERSTONE
PROPERTIES
LLC
786-657-2239-0800
10-1002 P.022

LAWRENCE KENT CLARK
PATRICIA ANN MURPHY CLARK
14201 Jeffries Place
DB. 6279 PG. 169
PIN: 726698221700000

THIS SURVEY SHOULD NOT BE USED FOR BUILDING DECKS, FENCES OR OTHER SUCH STRUCTURES, ITS SOLE PURPOSE IS TO LOCATE THE HOUSE AND IMPROVEMENTS WITHIN THE BOUNDARY LINES.

LIT 9

LIT 11



PHYSICAL IMPROVEMENT SURVEY ON
LOT 10
TANNER VILLAGE
SECTION C
at CHARTER COLONY

MATAKA DISTRICT CHESTERFIELD COUNTY, VIRGINIA
PURCHASER: LAWRENCE & PATRICIA CLARK

YOUNGLOOD, TYLER & ASSOCIATES, P.C.
CIVIL ENGINEERS, PLANNERS
& LAND SURVEYORS
7008 WINDOVER GREEN DRIVE
P.O. BOX 517 MICHIGNEVILLE, VA 23111
DATE: MARCH 8, 2005 SCALE: 1" = 30'
DRAFTER: J. L. HARRIS - TYLER & ASSOCIATES
CHECKED BY: G.G. NICHOL
JOB NO. 16-75

Fencing
~~XXXX~~



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.d.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 28, Tanner Village, Section A at Charter Colony

County Administrator's Comments: *Recommend Approval*

County Administrator: *AGH*

Board Action Requested: Grant Michael E. Gallo and Michelle P. Gallo, permission for a proposed fence to encroach within an 8' easement across Lot 28, Tanner Village, Section A at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Michael E. Gallo and Michelle P. Gallo, have requested permission for a proposed fence to encroach within an 8' easement across Lot 28, Tanner Village, Section A at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

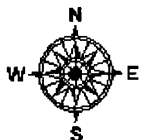
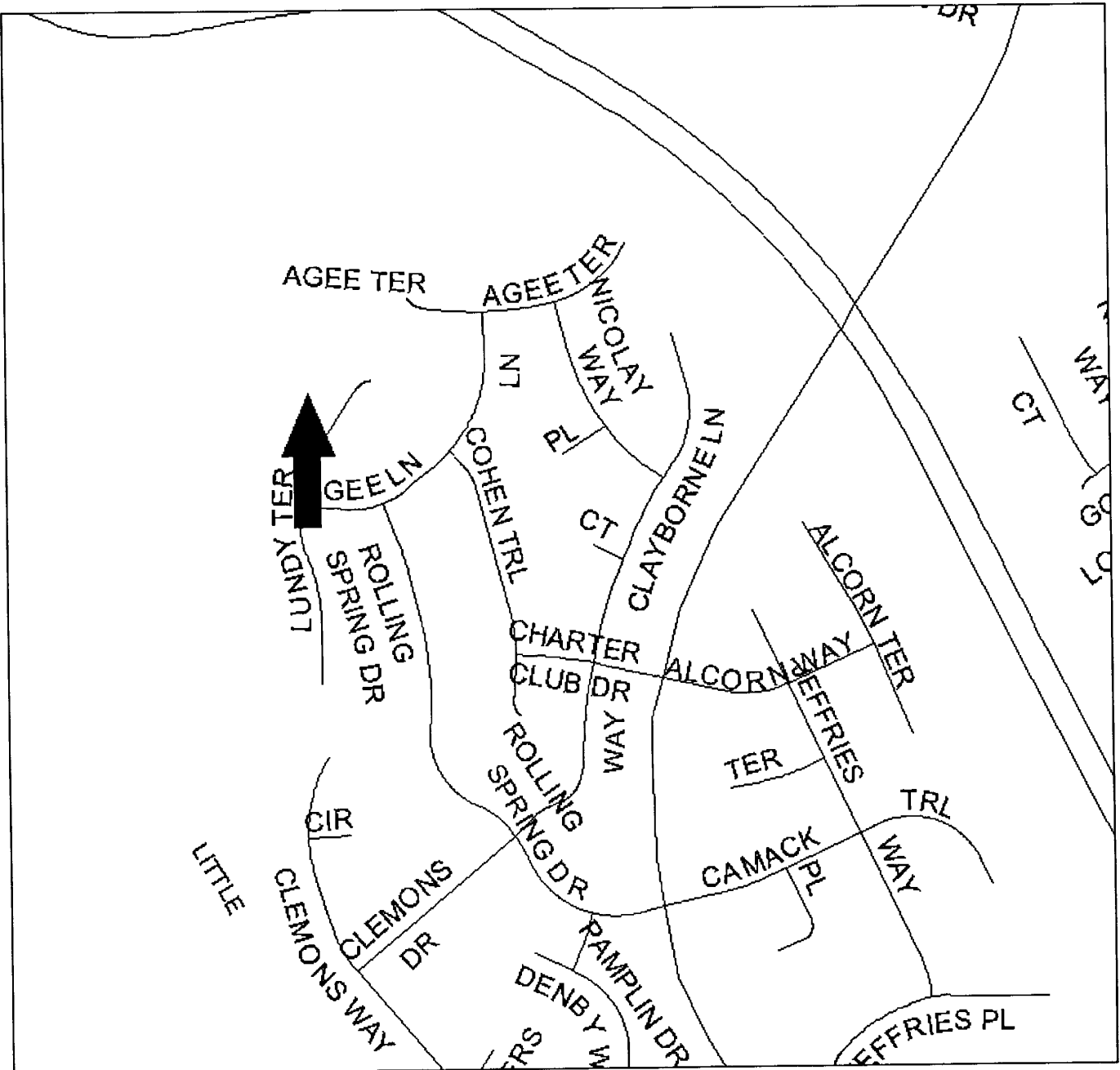


No

#000082

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 28
TANNER VILLAGE SECTION A AT CHARTER COLONY



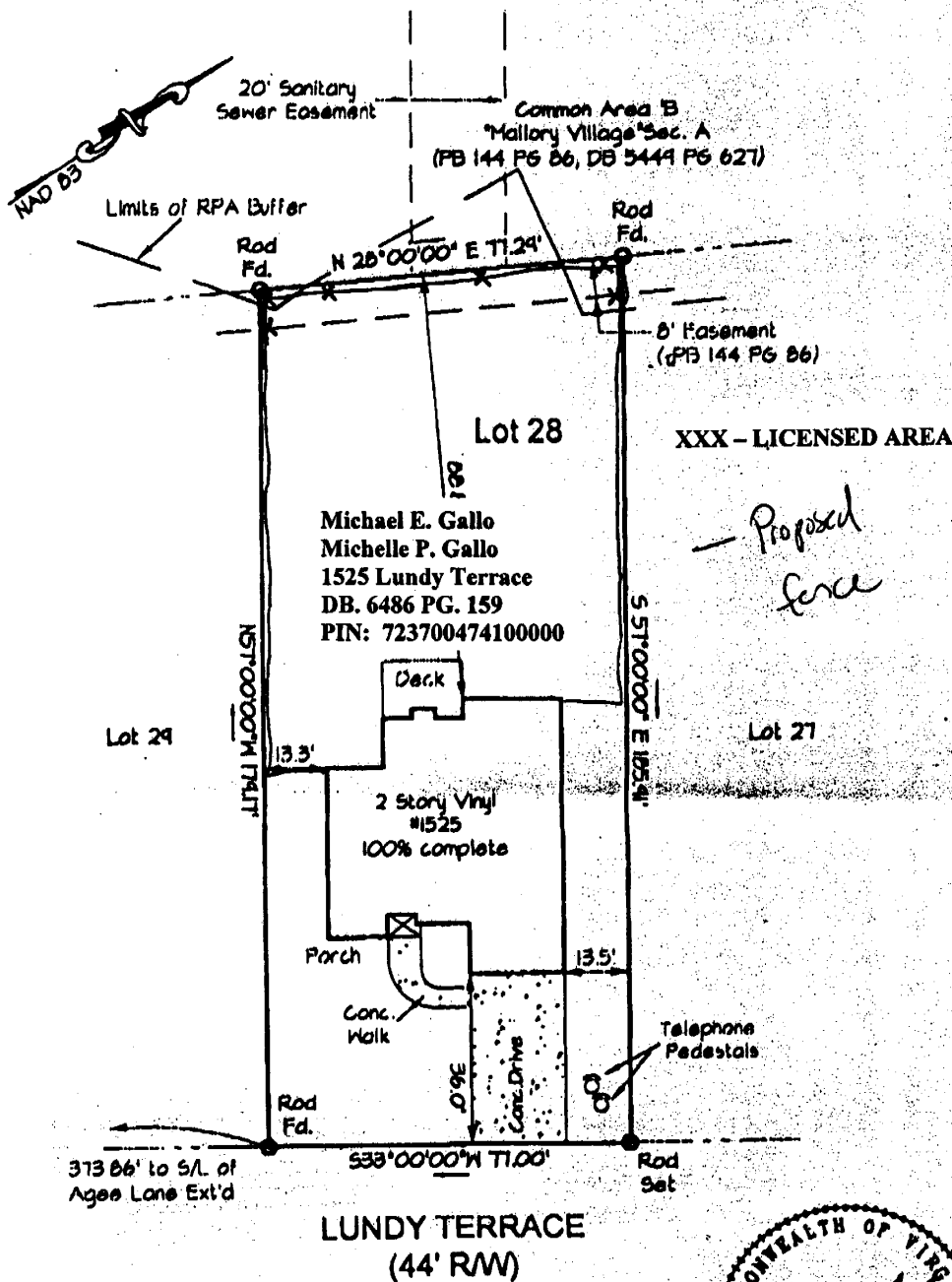
Chesterfield County Department of Utilities



1 inch equals 500 feet

000083

This is to certify that an accurate field survey of the premises shown hereon has been performed under my supervision that all improvements and visible evidence of easements are shown hereon and that there are no encroachments by improvements either from adjoining premises or from subject premises other than shown hereon. This survey was performed without the benefit of a title report and is subject to information which may be disclosed by such. This dwelling is in FEMA defined flood zone C.



NOTE: UTILITIES ARE UNDERGROUND TO DWELLING.

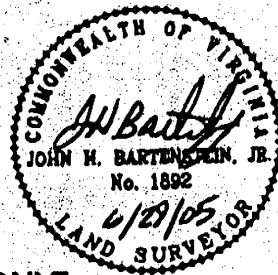
IMPROVEMENTS ON
LOT 28, SECTION A
"MALLORY VILLAGE at CHARTER COLONY"
MATOACA DISTRICT CHESTERFIELD CO., VA.
DATE: JUNE 27, 2005 SCALE: 1" = 30'

Joseph, Cox & Associates, Inc.

1905 Huguenot Road, Suite 303, Richmond, VA 23235 (804) 897-8887 Fax (804) 897-8069
CIVIL ENGINEERING LAND SURVEYING LAND PLANNING

PURCHASER: MICHAEL & MICHELLE GALLO

JOB NO.: 25272



000084



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.e.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 34, Rutherford Village at Charter Colony

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *[Signature]*

Board Action Requested: Grant Kevin W. Hazel and Bridget M. Hazel, permission for a proposed fence to encroach within an 8' easement across Lot 34, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Kevin W. Hazel and Bridget M. Hazel, have requested permission for a proposed fence to encroach within an 8' easement across Lot 34, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: _____ John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

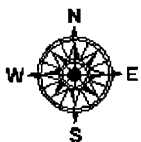
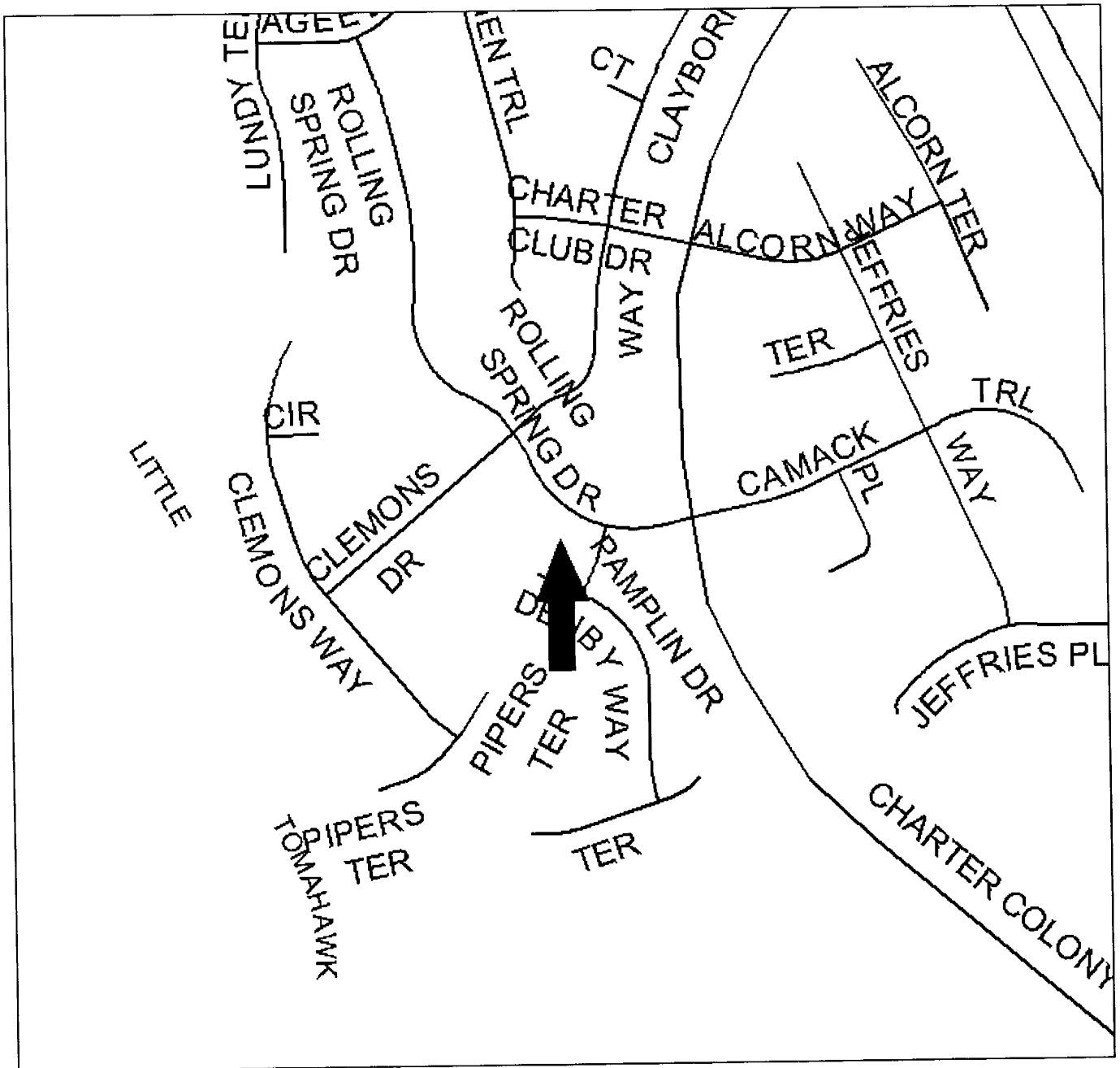


No

000085

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 34
RUTHERFORD VILLAGE AT CHARTER COLONY

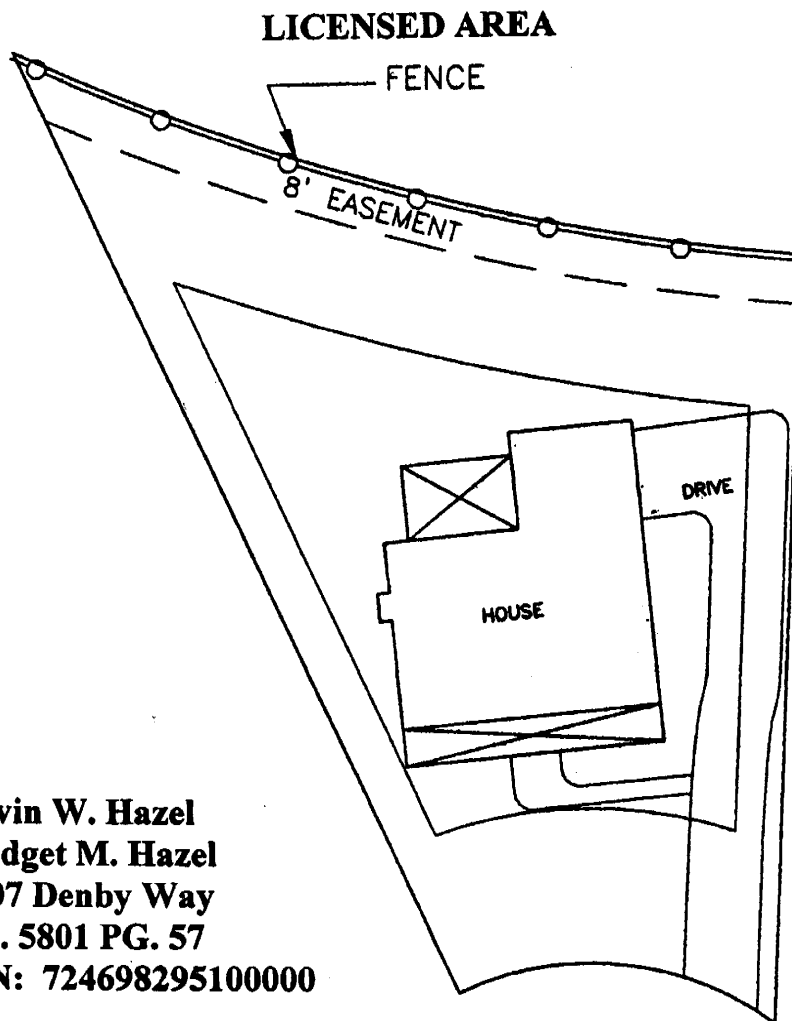


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000086



Kevin W. Hazel
Bridget M. Hazel
1507 Denby Way
DB. 5801 PG. 57
PIN: 724698295100000

1507 DENBY WAY

Plat Showing Lot 34
Rutherford Village Subdivision

Notes:

1. Chatham 4
2. House not reversed with respect to plan
3. .26 Acres

Date: 8/25/05
Scale: 1" = 30'





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.f.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 3, Rutherford Village at Charter Colony

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JSR

Board Action Requested: Grant William J. Lahey and Guthrie S. Paca, permission for a proposed fence to encroach within an 8' easement across Lot 3, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

William J. Lahey and Guthrie S. Paca, have requested permission for a proposed fence to encroach within an 8' easement across Lot 3, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

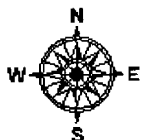
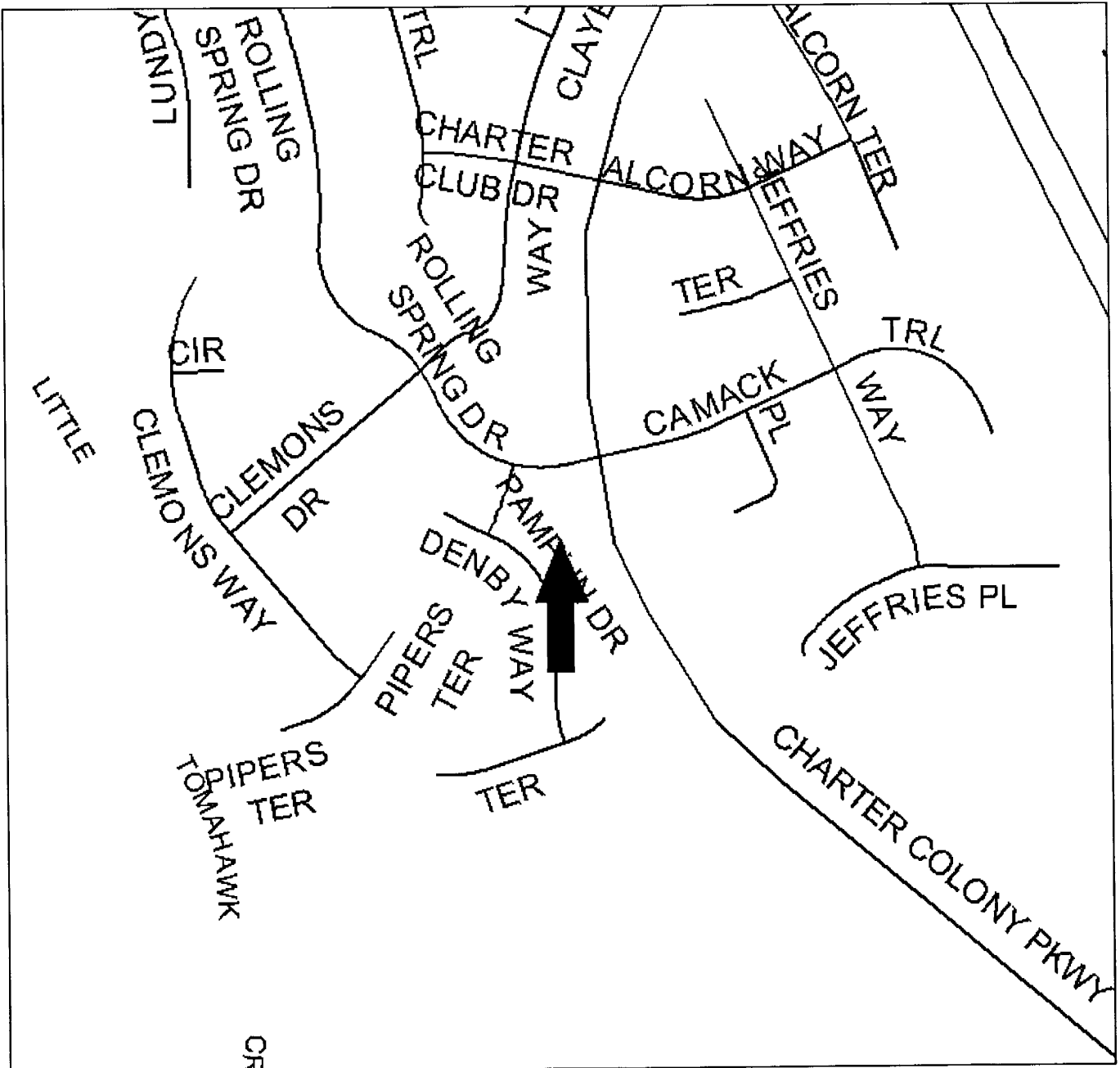


No

000088

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 3
RUTHERFORD VILLAGE AT CHARTER COLONY

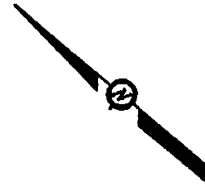
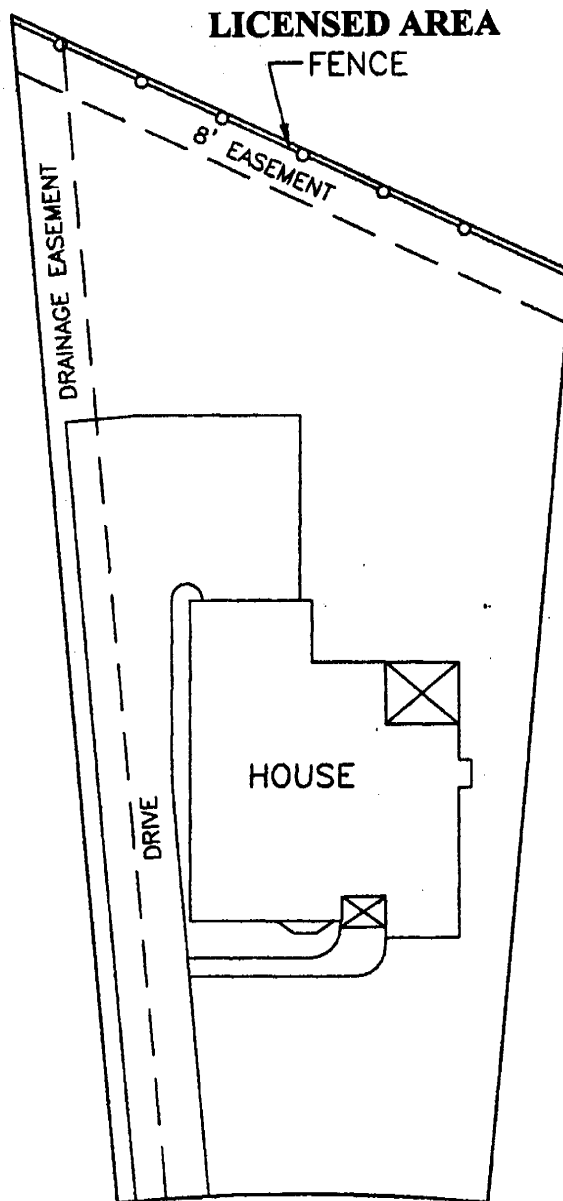


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000089



William J. Lahey
Guthrie S. Paca
1607 Denby Way
DB. 6486 PG. 706
PIN: 724698583200000

1607 DENBY WAY

Notes:

1. Highland Plan
2. House not reversed with respect to plan
3. .3 Acres

Date: 8/25/05
 Scale: 1" = 30'

Lot 3 Rutherford Village



000090



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.g.

Subject: Request Permission for a Proposed Deck to Encroach Within an Eight-Foot Drainage Easement Across Lot 63, Edgewater At The Reservoir

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JHL

Board Action Requested: Grant R. S. Hulbert Builders, Incorporated, permission for a proposed deck to encroach within an 8' drainage easement across Lot 63, Edgewater At The Reservoir, subject to the execution of a license agreement.

Summary of Information:

R. S. Hulbert Builders, Incorporated, have requested permission for a proposed deck to encroach within an 8' drainage easement across Lot 63, Edgewater At The Reservoir. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

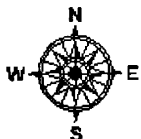
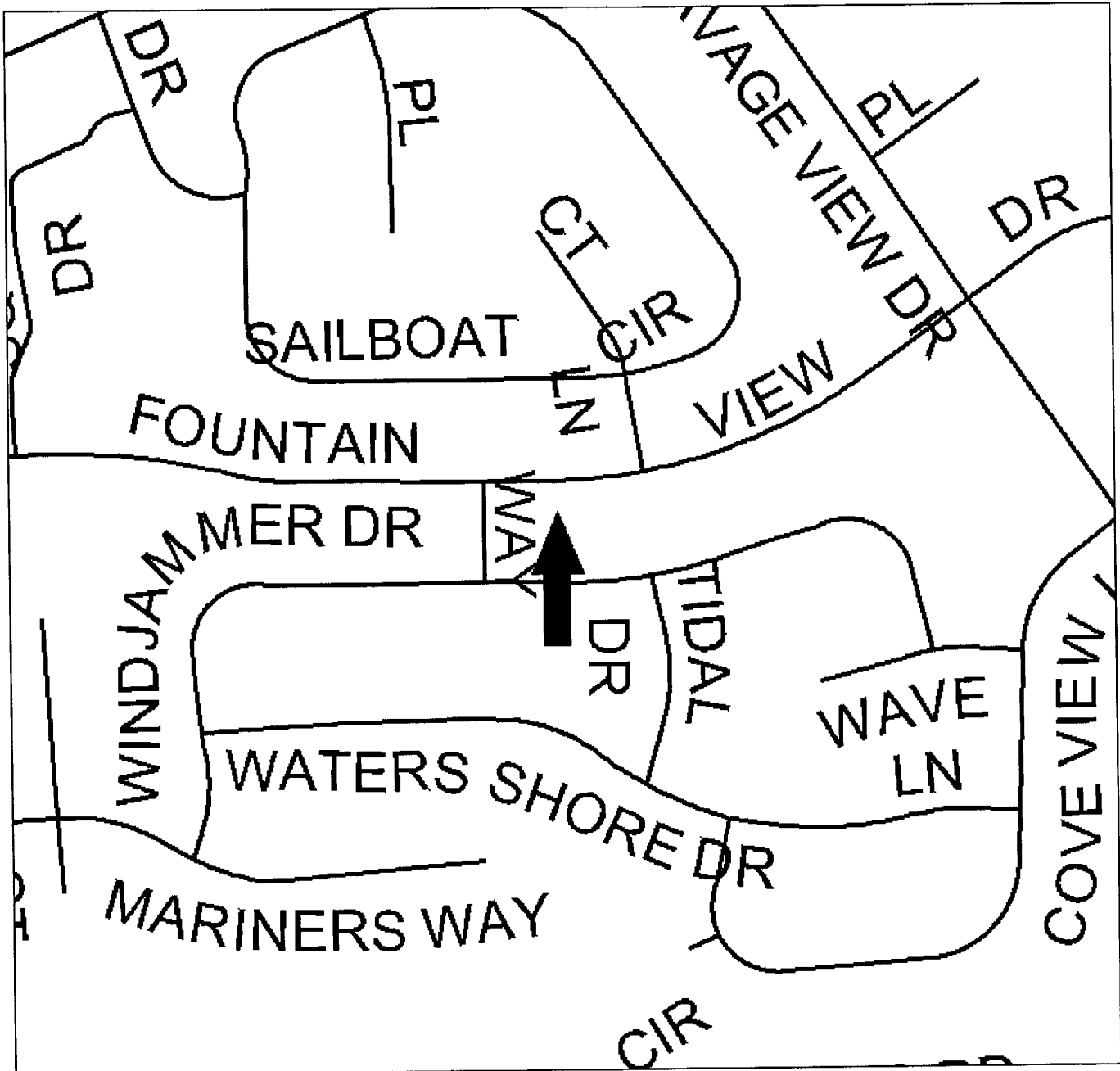


No

000091

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED DECK TO
ENCROACH WITHIN AN 8' DRAINAGE EASEMENT
ACROSS LOT 63 EDGEWATER AT THE RESERVOIR



Chesterfield County Department of Utilities



1 inch equals 250 feet

000092

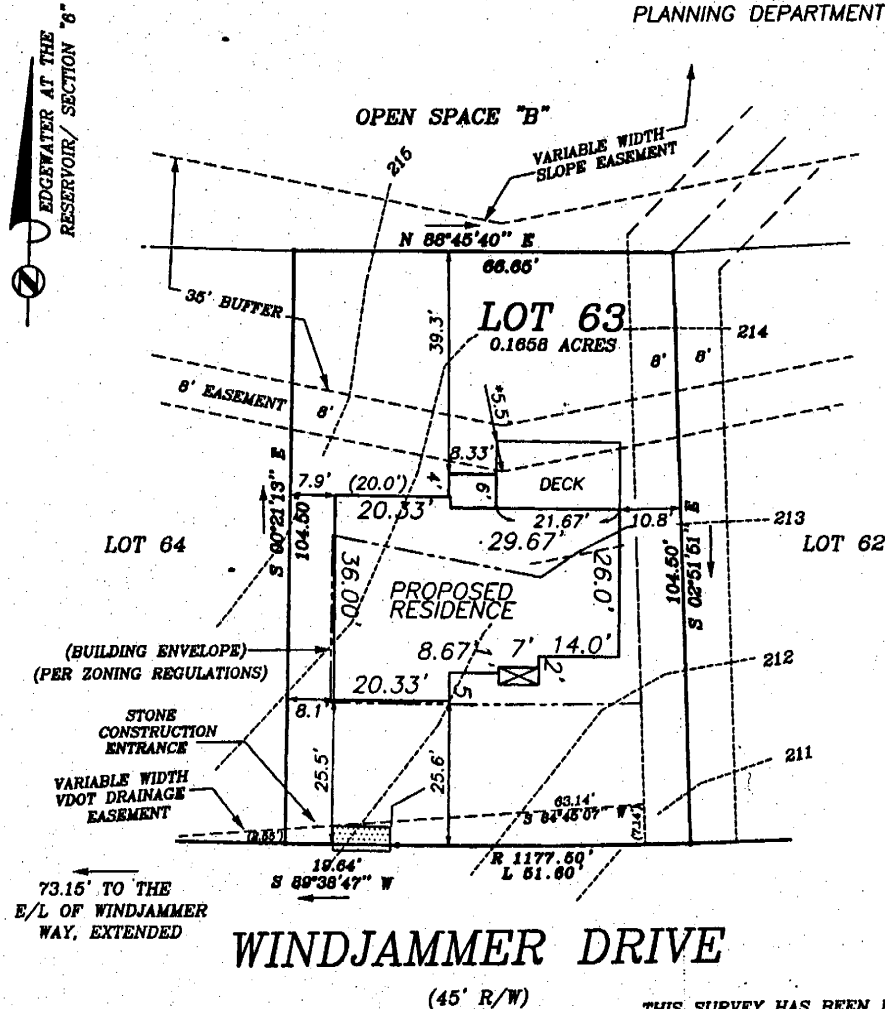
OWNER: R. S. HULBERT BUILDERS, INC.
D.B. 4879 PG. 309

GPIN# 720-686-289600000

*PROPERTY ADDRESS:
#14712 WINDJAMMER DRIVE

NOTE: THIS PROPERTY IS LOCATED IN
ZONE C AS SHOWN ON FEMA
COMMUNITY PANEL NO. 510035 0047 B
(EFFECTIVE DATE: MARCH 16, 1983)

*35' BUFFER INCLUSIVE OF
ZONING SETBACKS PER COUNTY
PLANNING DEPARTMENT.



NOTE: ELEVATIONS ARE TAKEN FROM
CONSTRUCTION PLANS AND SHOULD BE
FIELD VERIFIED FOR ACCURACY.

THIS SURVEY HAS BEEN PREPARED
WITHOUT THE BENEFIT OF A TITLE
REPORT AND THEREFORE DOES NOT
NECESSARILY INDICATE ALL THE
ENCUMBRANCES ON THE PROPERTY.

PLOT PLAN SHOWING PROPOSED IMPROVEMENTS ON LOT 63,
PLAN OF "EDGEWATER AT THE RESERVOIR", SECTION "6",
IN THE MATOACA DISTRICT OF CHESTERFIELD COUNTY, VIRGINIA.



REVISED AUGUST 6, 2006
(NEW PLAN/ BUFFER INCLUSIVE)

REVISED: JULY 14, 2006
(HOUSE PLANS/PLACEMENT)

POTTS, MINTER and ASSOCIATES, P.C.
Engineers, Land Surveyors, Land Planners
3520 Courthouse Road
Richmond, Virginia 23236
(804) 746-2876

Date: 6-24-05
Scale: 1"=25'
J.N. 0301-18

CHECKED: RTM

000093



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.h.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 9, Rutherford Village at Charter Colony

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LM

Board Action Requested: Grant Richard D. Ranallo and Denise M. Ranallo, permission for a proposed fence to encroach within an 8' easement across Lot 9, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Richard D. Ranallo and Denise M. Ranallo, have requested permission for a proposed fence to encroach within an 8' easement across Lot 9, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

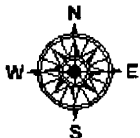
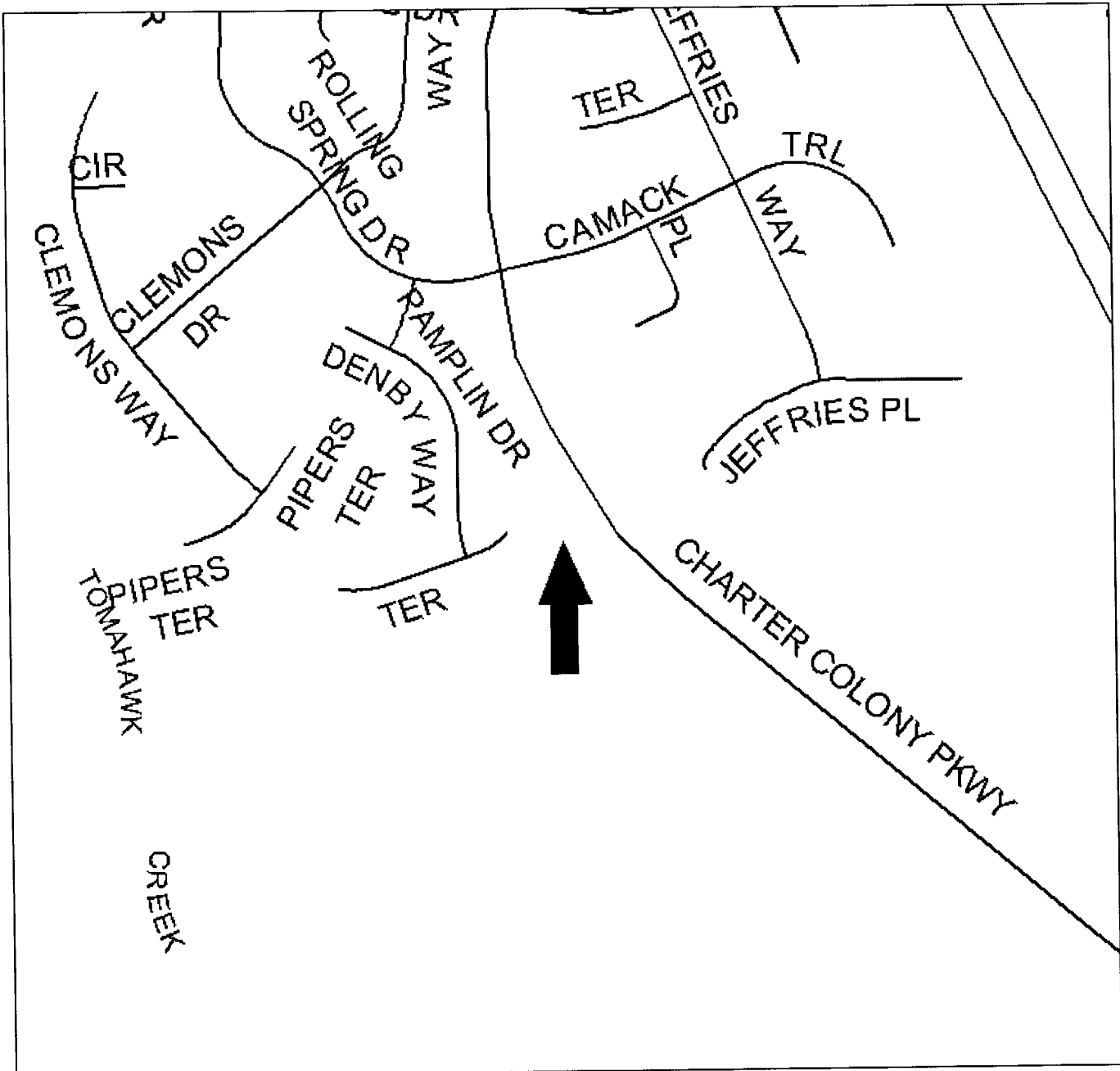


No

000094

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 9
RUTHERFORD VILLAGE AT CHARTER COLONY

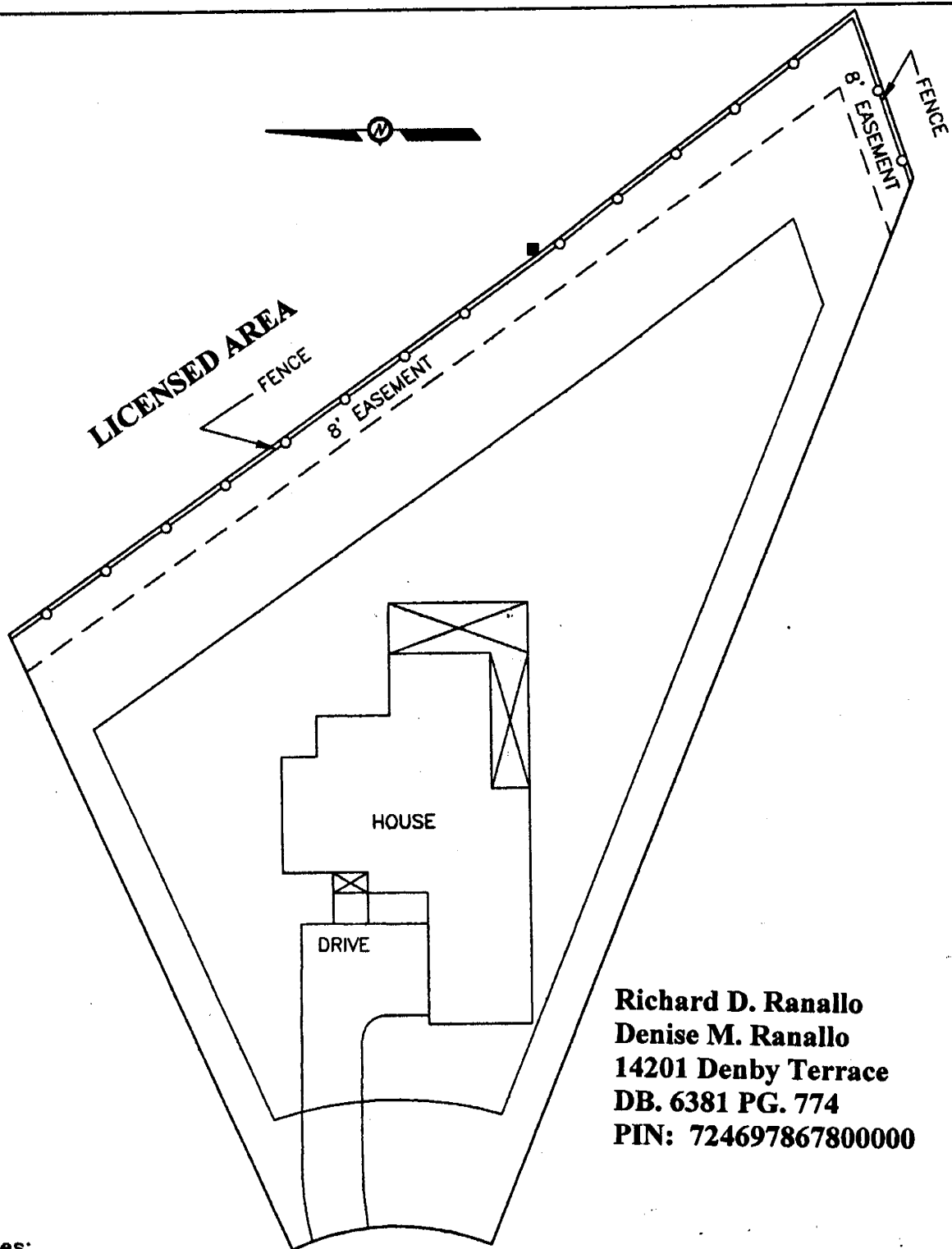


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000095



Richard D. Ranallo
Denise M. Ranallo
14201 Denby Terrace
DB. 6381 PG. 774
PIN: 724697867800000

Notes:

1. Chelsea Plan
2. House not reversed with respect to plan
3. .47 Acres

Date: 8/24/05
 Scale: 1" = 30'

14201 DENBY TERRACE
Plat Showing
Lot 9 Rutherford Village





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.i.

Subject: Request Permission for Proposed Fences to Encroach Within a Sixteen-Foot Drainage Easement and an Eight-Foot Easement Across Lots in Rutherford Village at Charter Colony

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBR

Board Action Requested: Grant Stern Homes Incorporated, permission for proposed fences to encroach within a 16' drainage easement and an 8' easement across lots in Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Stern Homes Inc., has requested permission for proposed fences to encroach within a 16' drainage easement and an 8' easement across lots in Rutherford Village at Charter Colony as shown on the attached sketches. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

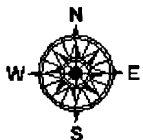
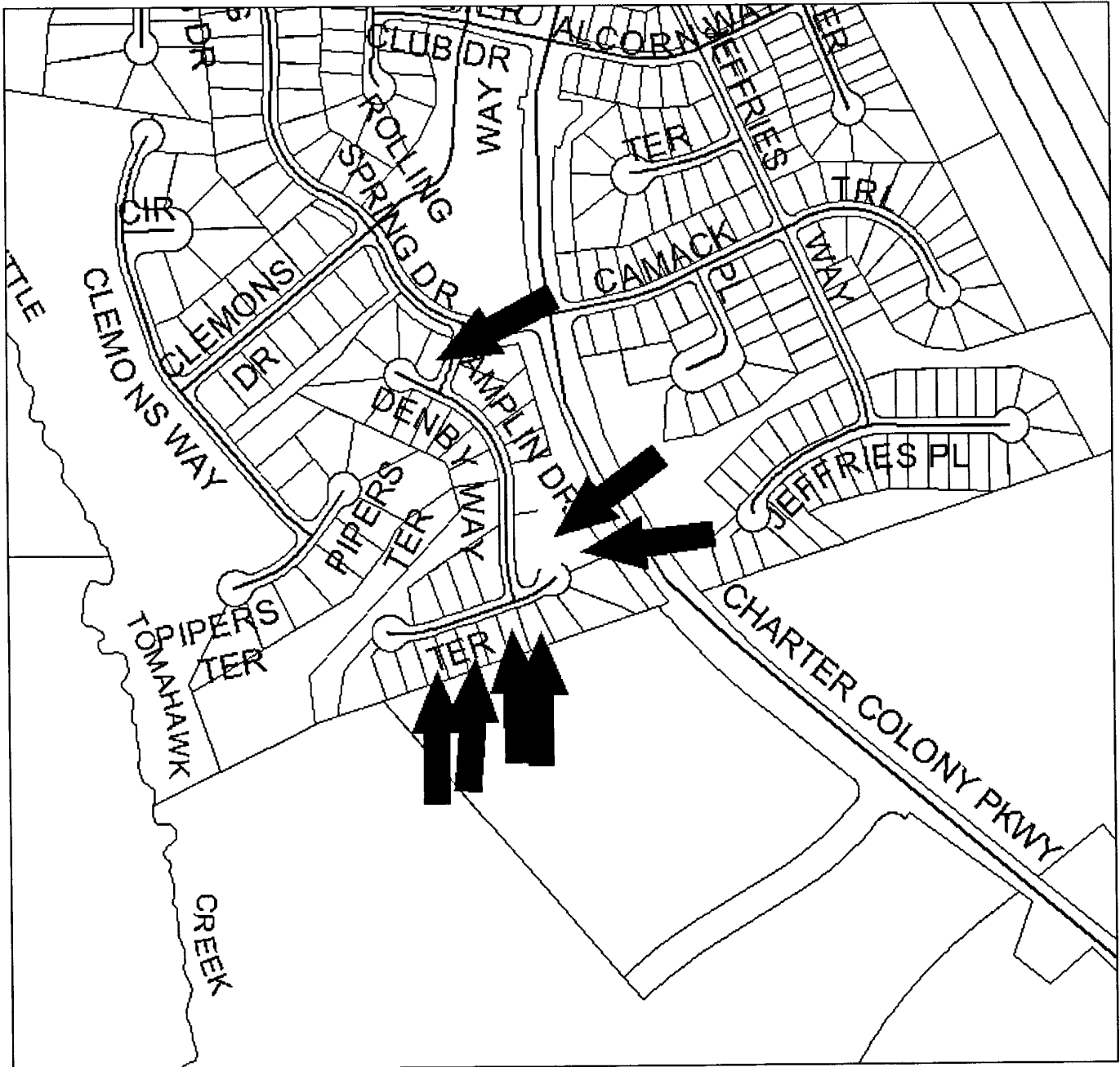


No

000097

VICINITY SKETCH

REQUEST PERMISSION FOR PROPOSED FENCES TO
ENCROACH WITHIN A SIXTEEN FOOT DRAINAGE
EASEMENT AND AN EIGHT FOOT EASEMENT ACROSS
LOTS IN RUTHERFORD VILLAGE AT CHARTER COLONY



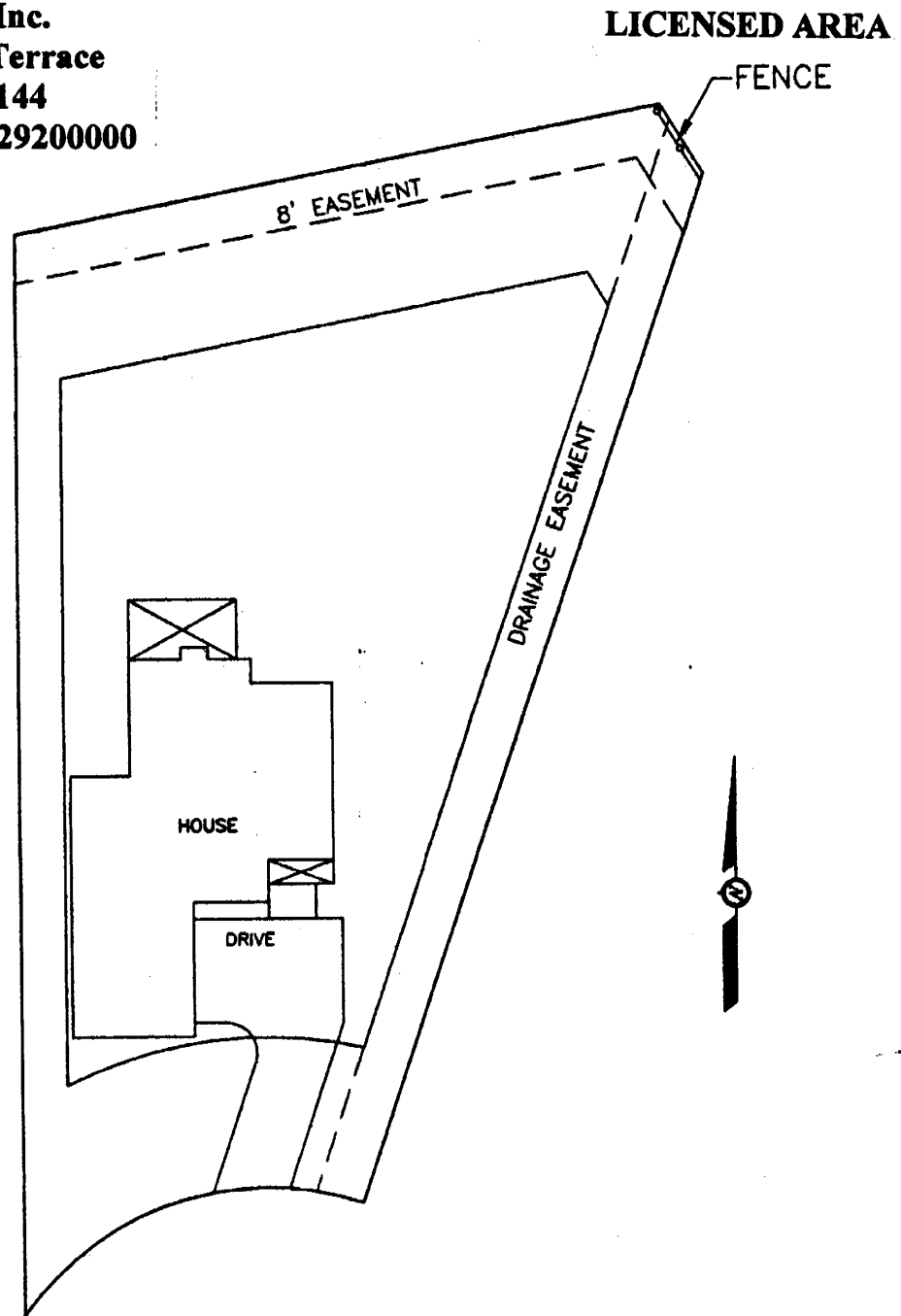
Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000038

Stern Homes, Inc.
14206 Denby Terrace
DB. 6133 PG. 144
PIN: 724697729200000



Notes:

1. Brantley Plan
2. House not reversed with respect to plan
3. .35 Acres

Date: 8/25/05
Scale: 1" = 30'

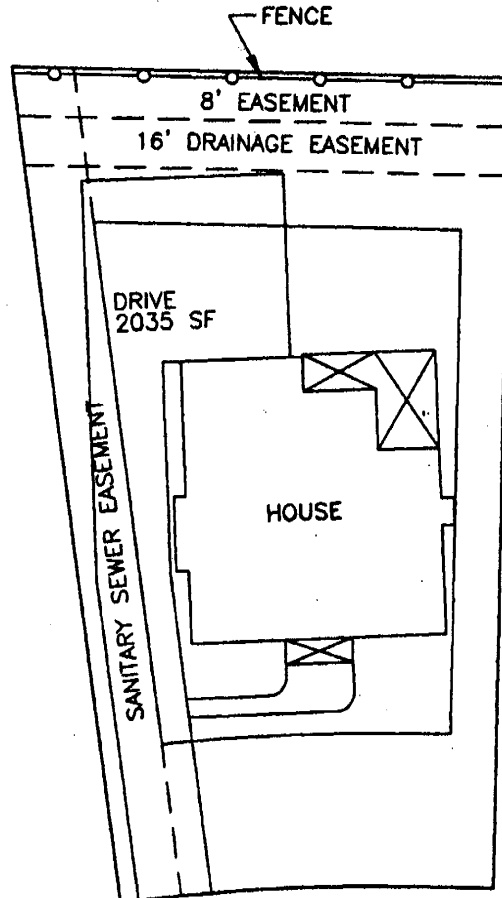
14206 DENBY TERRACE

Lot 7 Rutherford Village



000039

LICENSED AREA



Stern Homes, Inc.
14219 Denby Terrace
DB. 6133 PG. 144
PIN: 724697666400000

14219 DENBY TERRACE

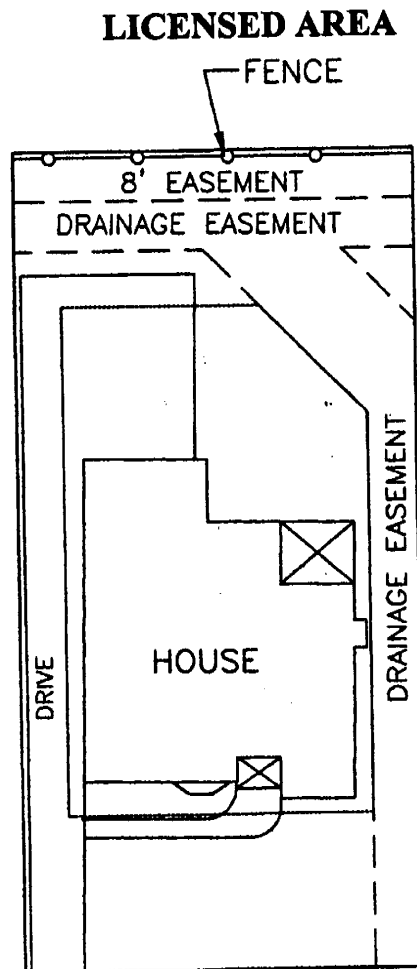
Notes:

1. Chatham 4 Plan
2. House not reversed with respect to plan
3. .22 Acres

Date: 8/25/05
Scale: 1" = 30'

Plat Showing Lot 12
Rutherford Village
Subdivision





Stern Homes, Inc.
14301 Denby Terrace
DB. 6133 PG. 144
PIN: 724697596200000

14301 DENBY TERRACE

Notes:

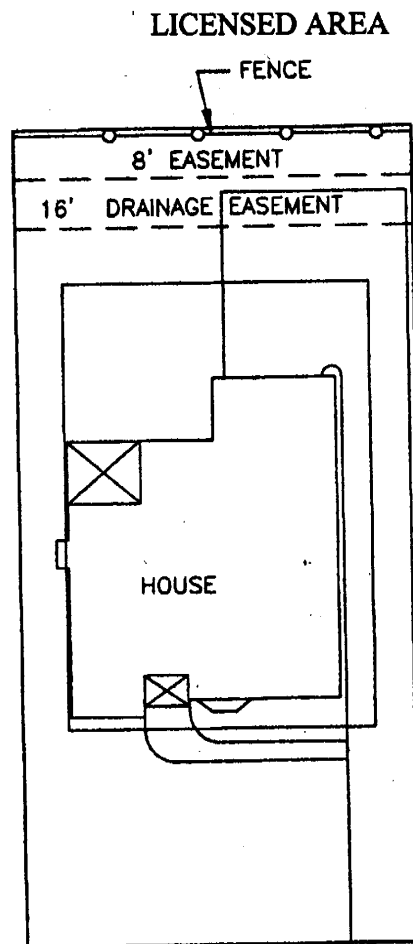
1. Highland Plan
2. House not reversed with respect to plan
3. .3 Acres

Date: 8/25/05
 Scale: 1" = 30'

Lot 13 Rutherford Village



000101



Stern Homes, Inc.
14313 Denby Terrace
DB. 6133 PG. 144
PIN: 724697475800000

14313 DENBY TERRACE

Plat Showing
Lot 15 Rutherford Village

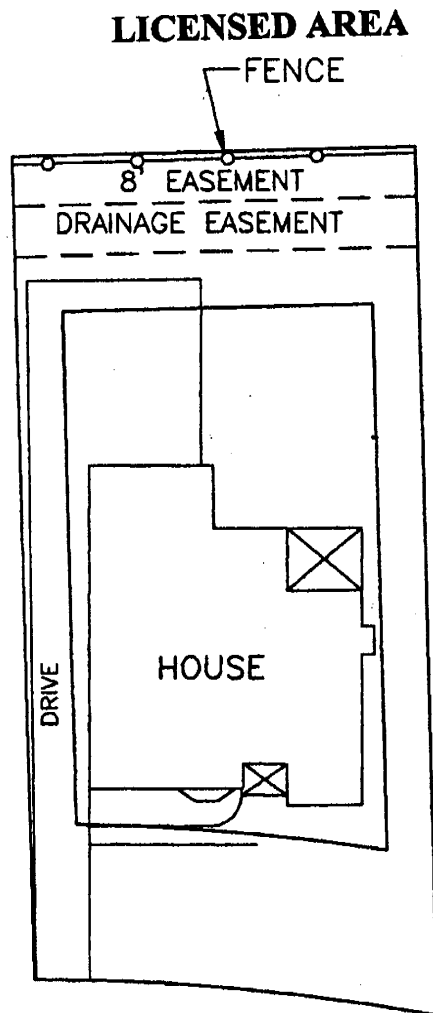
Notes:

1. Highland Plan
2. House not reversed with respect to plan
3. .2 Acres

Date: 8/25/05
Scale: 1" = 30'



000102



Stern Homes, Inc.
14325 Denby Terrace
DB. 6133 PG. 144
PIN: 724697345400000

14325 DENBY TERRACE

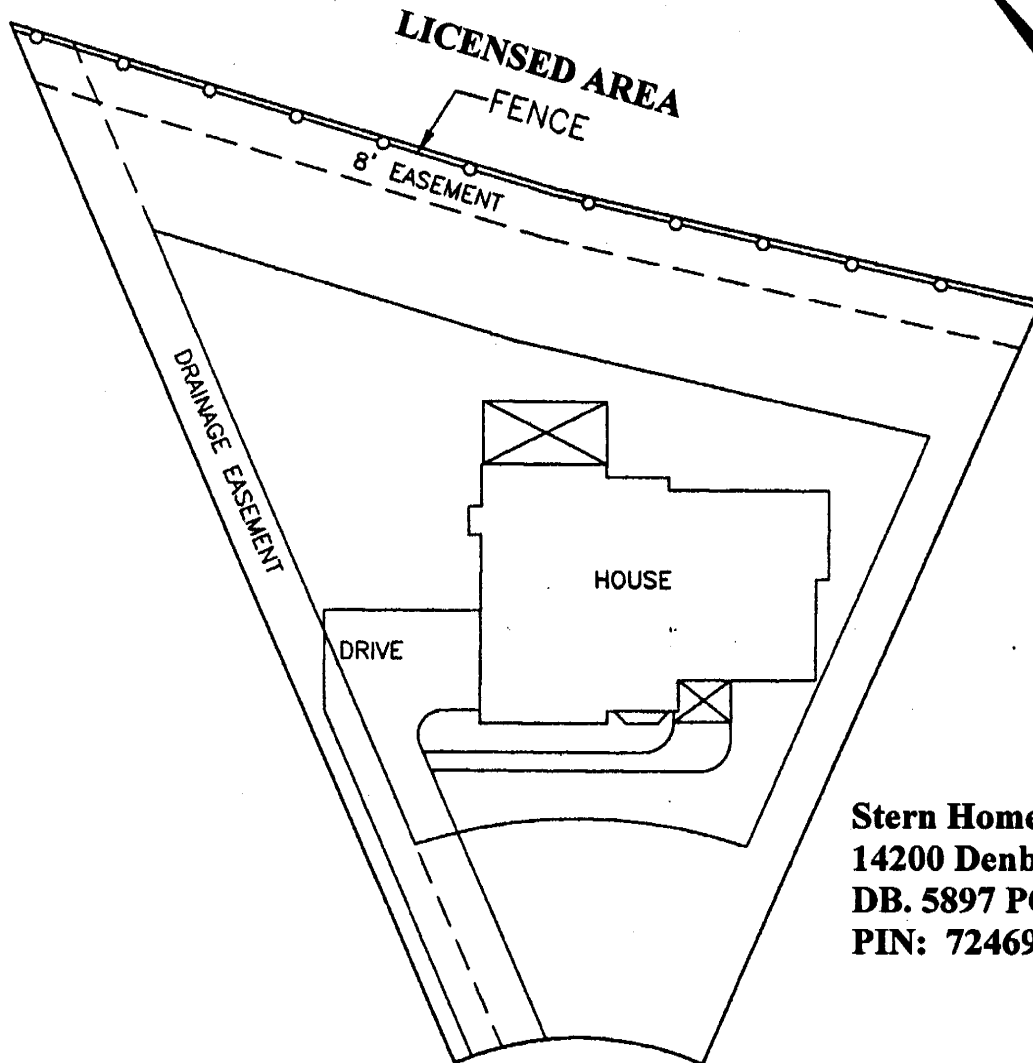
Notes:

1. Highland Plan
2. House not reversed with respect to plan
3. .3 Acres

Date: 8/25/05
 Scale: 1" = 30'

Lot 17 Rutherford Village





Stern Homes, Inc.
14200 Denby Terrace
DB. 5897 PG. 938
PIN: 724697808800000

14200 DENBY TERRACE

Lot 8 Rutherford Village

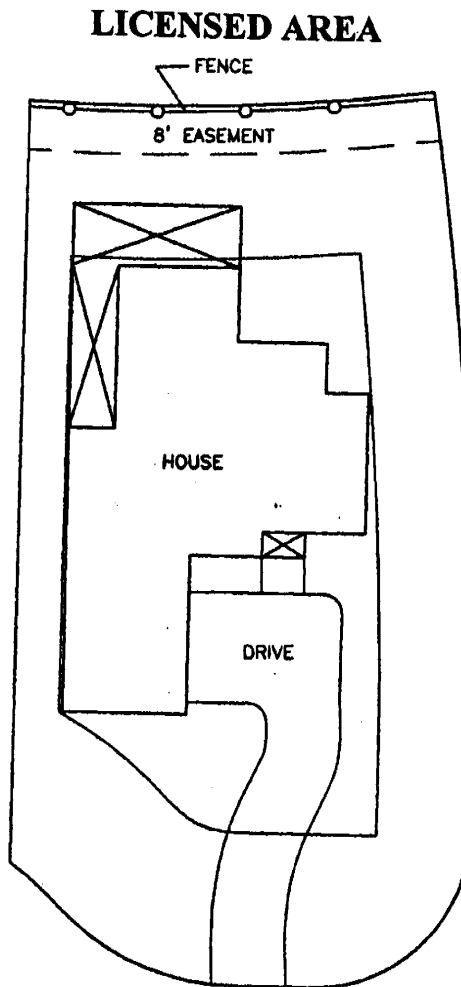
Notes:

1. St Andrews Plan
2. House not reversed with respect to plan
3. .33 Acres

Date: 8/24/05
 Scale: 1" = 30'



Stern Homes, Inc.
1513 Denby Way
DB. 5478 PG. 842
PIN: 724698354600000



1513 DENBY WAY

PAMPLIN DRIVE

Plat Showing Lot 35
Rutherford Village Subdivision

Notes:

1. Chelsea Plan
2. House not reversed with respect to plan
3. .23 Acres

Date: 8/25/05
Scale: 1" = 30'



000105



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.j.

Subject: Request Permission for a Proposed Deck to Encroach Within a Variable Width Drainage Easement Across Lot 44, Block F, Fairpines, Section 5

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBL

Board Action Requested: Grant Veronica Taylor, permission for a proposed deck to encroach within a variable width drainage easement across Lot 44, Block F, Fairpines, Section 5, subject to the execution of a license agreement.

Summary of Information:

Veronica Taylor, has requested permission for a proposed deck to encroach within a variable width drainage easement across Lot 44, Block F, Fairpines, Section 5. This request has been reviewed by staff and approval is recommended.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

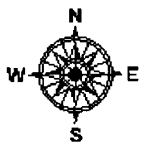
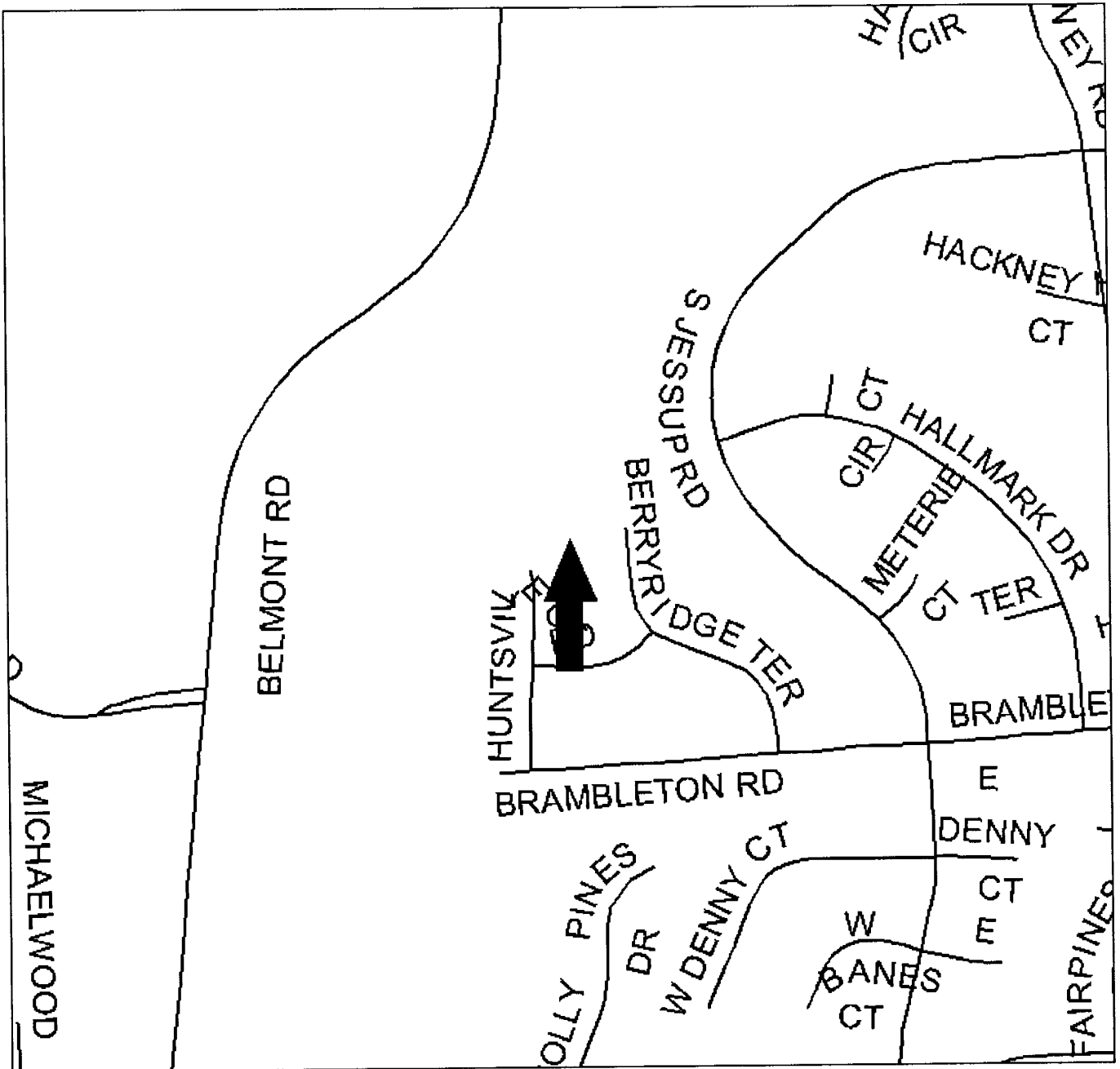


No

000106

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED DECK TO
ENCROACH WITHIN A VARIABLE WIDTH DRAINAGE
EASEMENT ACROSS LOT 44 BLOCK F FAIRPINES SECTION 5

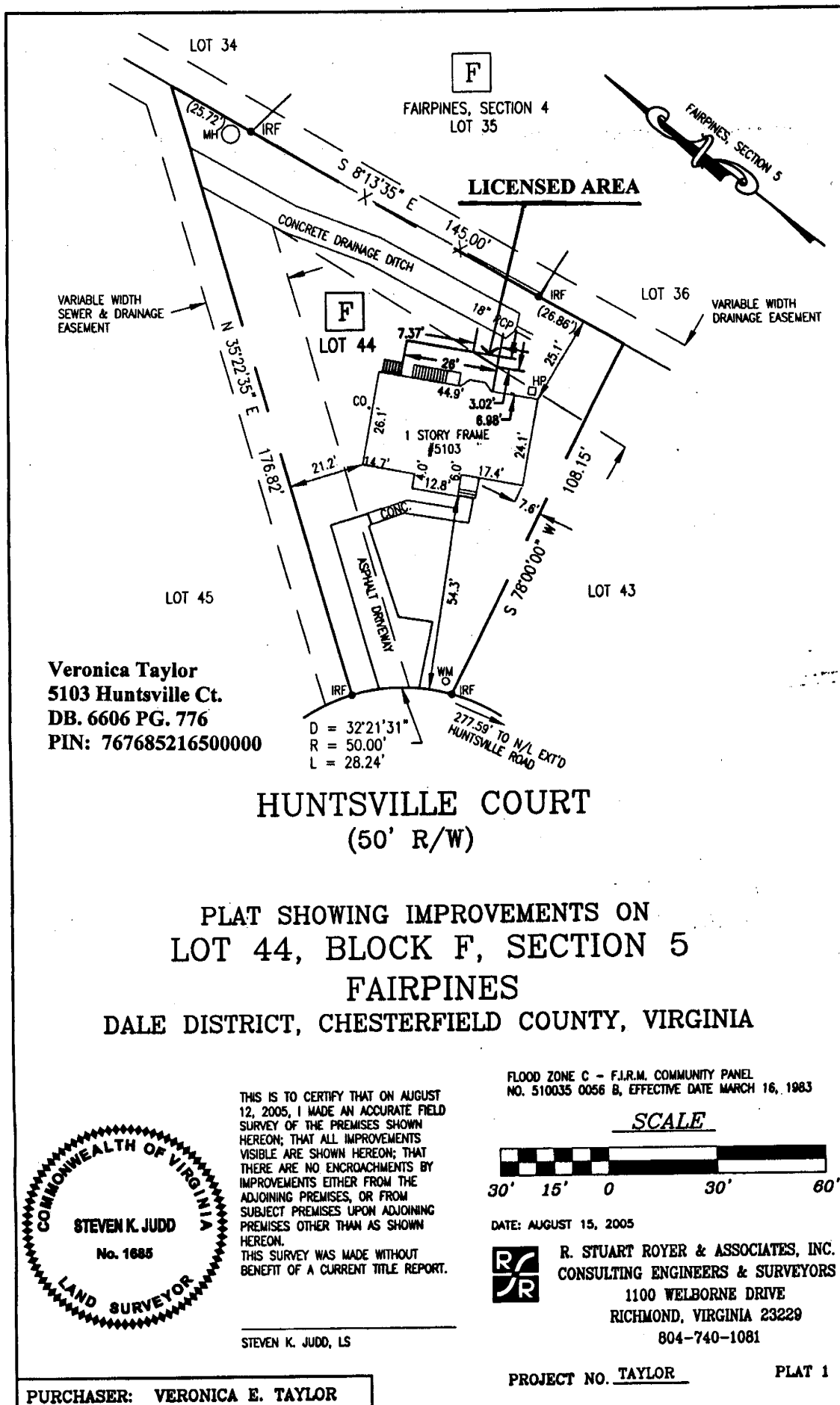


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000107



000108



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.k.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 33, Rutherford Village at Charter Colony

County Administrator's Comments:

Recommended Approval

County Administrator: _____

JSR

Board Action Requested: Grant Jeffrey W. Theobald and Elena B. Theobald, permission for a proposed fence to encroach within an 8' easement across Lot 33, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Jeffrey W. Theobald and Elena B. Theobald, have requested permission for a proposed fence to encroach within an 8' easement across Lot 33, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon _____

Title: Right of Way Manager

Attachments:



Yes

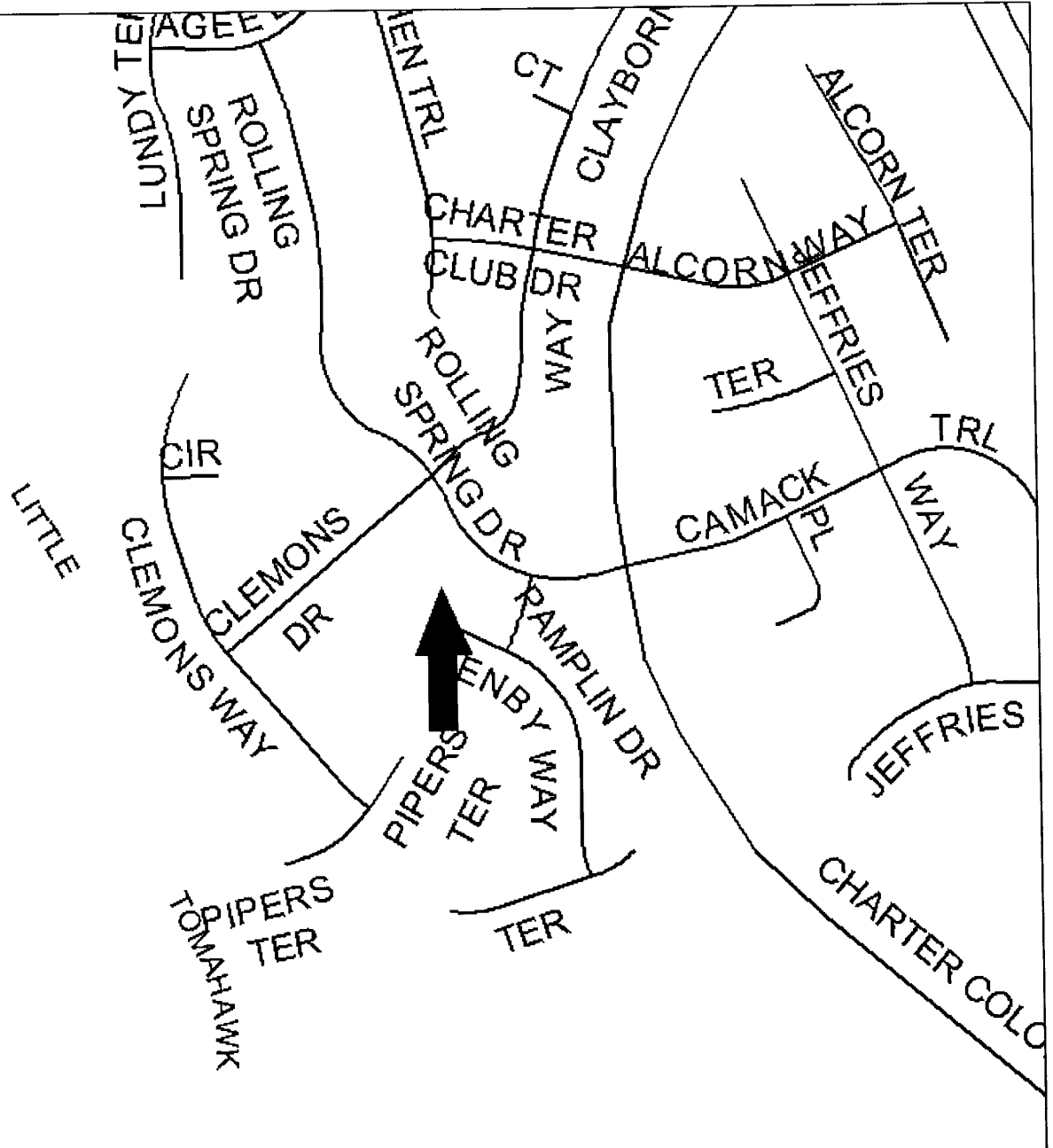


No

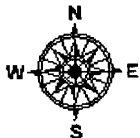
000109

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 33
RUTHERFORD VILLAGE AT CHARTER COLONY



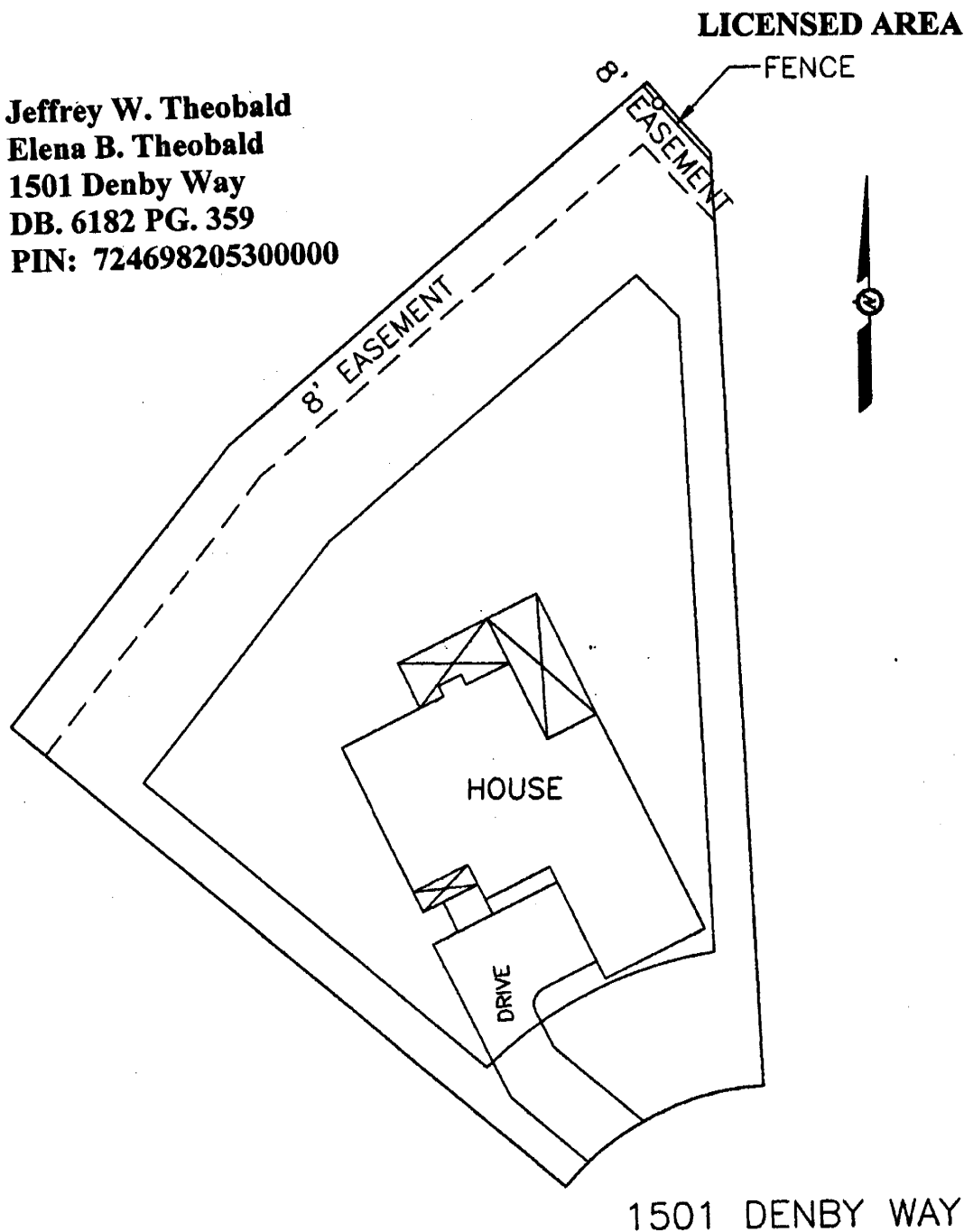
Chesterfield County Department of Utilities



1 inch equals 41667 feet

000110

Jeffrey W. Theobald
Elena B. Theobald
1501 Denby Way
DB. 6182 PG. 359
PIN: 724698205300000

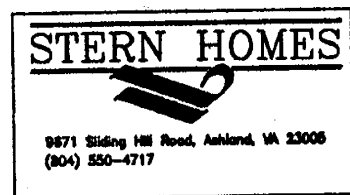


Notes:

1. Brantley Plan
2. House not reversed with respect to plan
3. .36 Acres

Date: 8/25/05
Scale: 1" = 30'

Plat Showing Lot 33
Rutherford Village
Subdivision



000111



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.5.I.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 4, Rutherford Village at Charter Colony

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBK

Board Action Requested: Grant Gilbert Thomas Weeks and Anne Haywood Weeks, permission for a proposed fence to encroach within an 8' easement across Lot 4, Rutherford Village at Charter Colony, subject to the execution of a license agreement.

Summary of Information:

Gilbert Thomas Weeks and Anne Haywood Weeks, have requested permission for a proposed fence to encroach within an 8' easement across Lot 4, Rutherford Village at Charter Colony. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



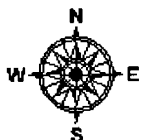
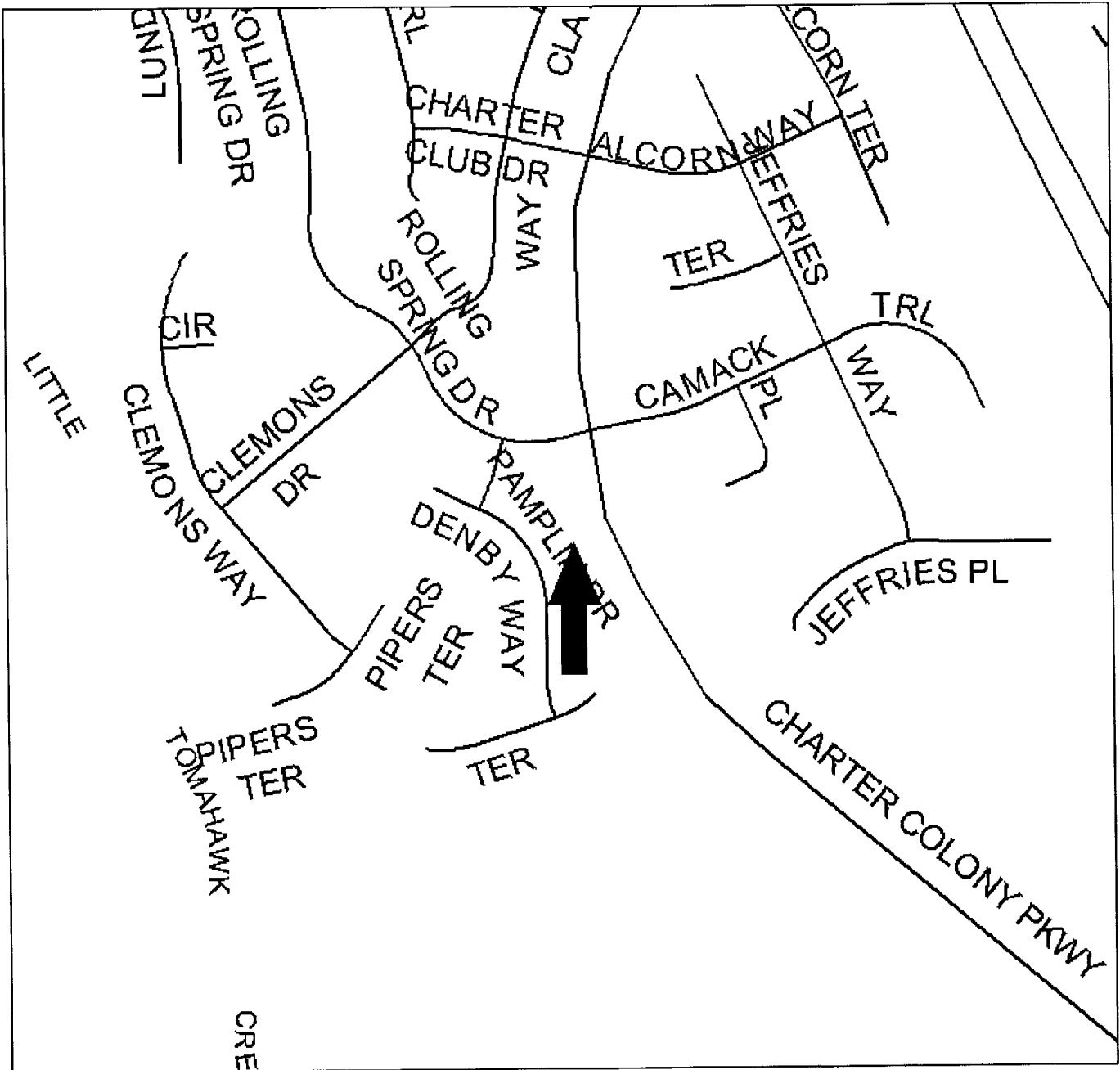
No

#

000112

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED FENCE TO
ENCROACH WITHIN AN 8' EASEMENT ACROSS LOT 4
RUTHERFORD VILLAGE AT CHARTER COLONY

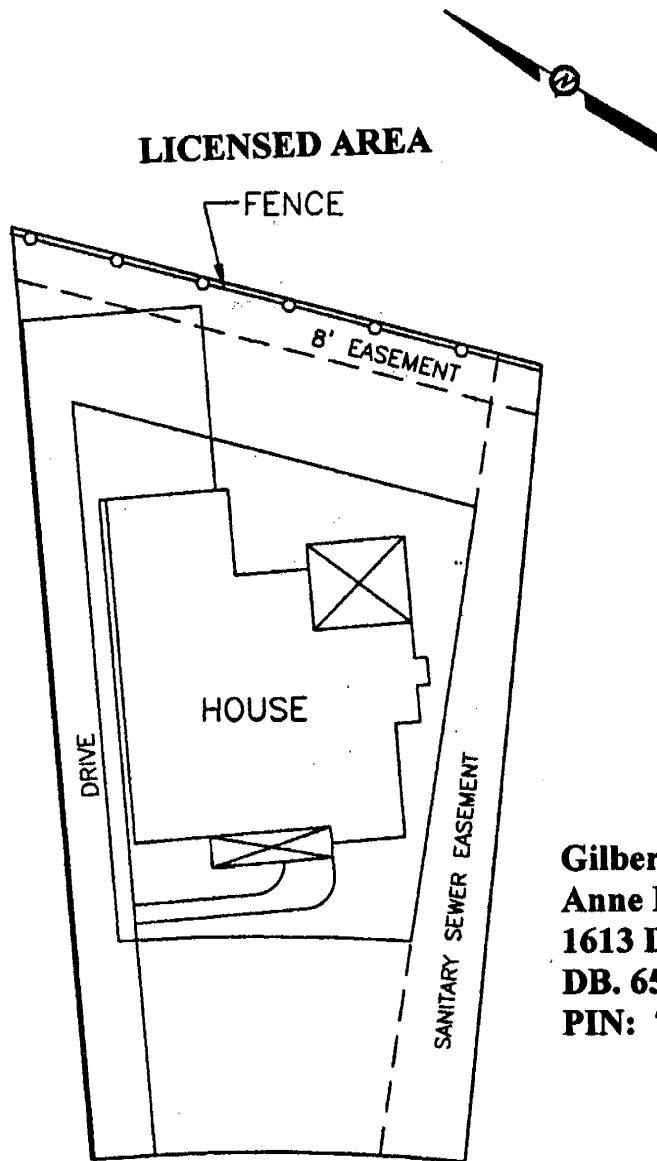


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000113



**Gilbert Thomas Weeks
Anne Haywood Weeks
1613 Denby Way
DB. 6580 PG. 712
PIN: 724698622500000**

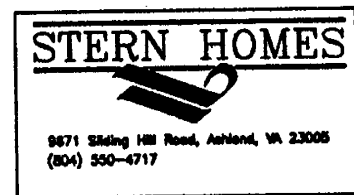
1613 DENBY WAY

Notes:

1. Highland Plan
2. House not reversed with respect to plan
3. .24 Acres

Lot 4 Rutherford Village

Date: 8/25/05
Scale: 1" = 30'



000114



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.6.a.

Subject: Conveyance of an Easement to Virginia Electric and Power Company

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable to serve the new Community Development Building.

Summary of Information:

Staff recommends that the Board of Supervisors authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable to serve the new Community Development Building.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

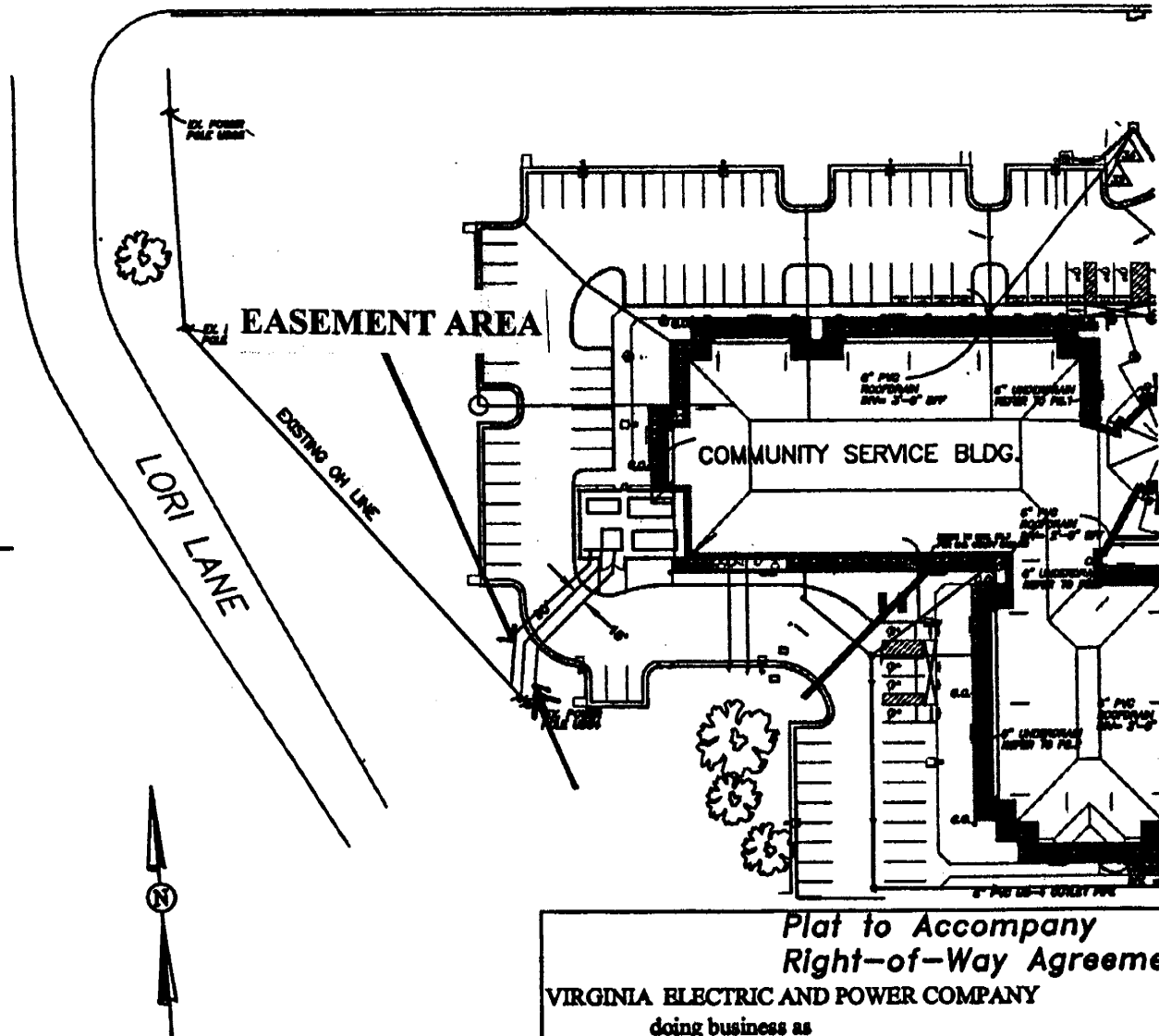


No

000115

County of Chesterfield
 6900 Mimms Drive
 DB. 245 PG. 164
 PIN: 771662618100000

GOVERNMENT CENTER PARKWAY



Legend

— Location of Boundary Lines of Right-of-Way

Page 5 of 5

Plat to Accompany Right-of-Way Agreement		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Virginia Power UG		
District MIDLOTHIAN		
District-Township-Borough DALE	County-City CHESTERFIELD VA	State VA
Office CENTRAL	Plat Number 00-05-0346	
Estimate Number 0506178012	Grid Number L2342	
Date 8.23.05	By Charles Major	

000117



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.6.b.

Subject: Conveyance of an Easement to Verizon Virginia Incorporated

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Verizon Virginia Incorporated to install underground cable across county property to serve the new Cosby Road High School.

Summary of Information:

Staff recommends that the Board of Supervisors authorize the Chairman of the Board of Supervisor and the County Administrator to execute an easement agreement with Verizon Virginia Incorporated to install underground cable across county property to serve the new Cosby Road High School.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

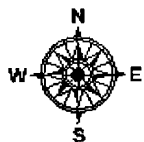
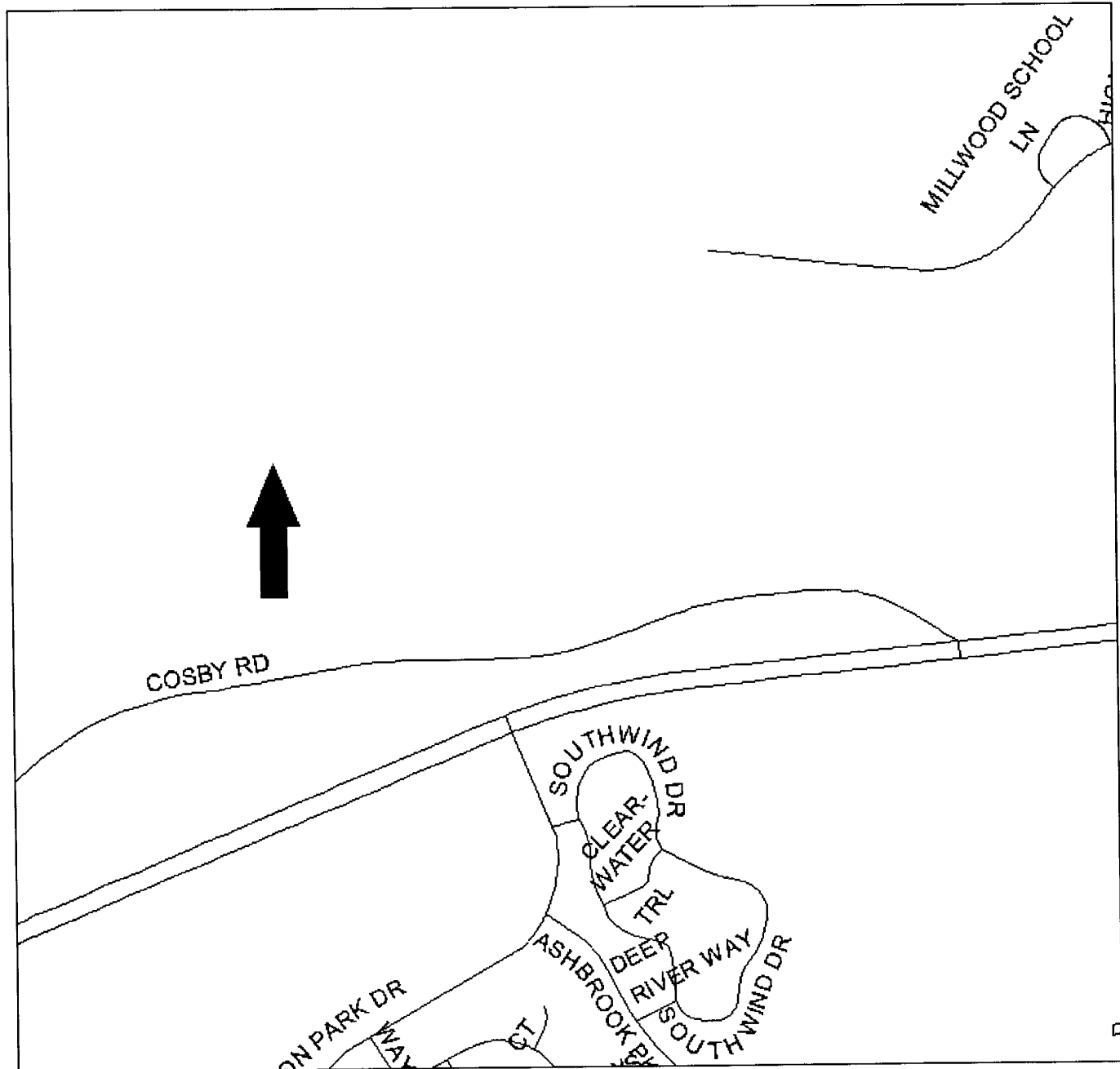


No

#000118

VICINITY SKETCH

CONVEYANCE OF AN EASEMENT
TO VERIZON VIRGINIA INC



Chesterfield County Department of Utilities



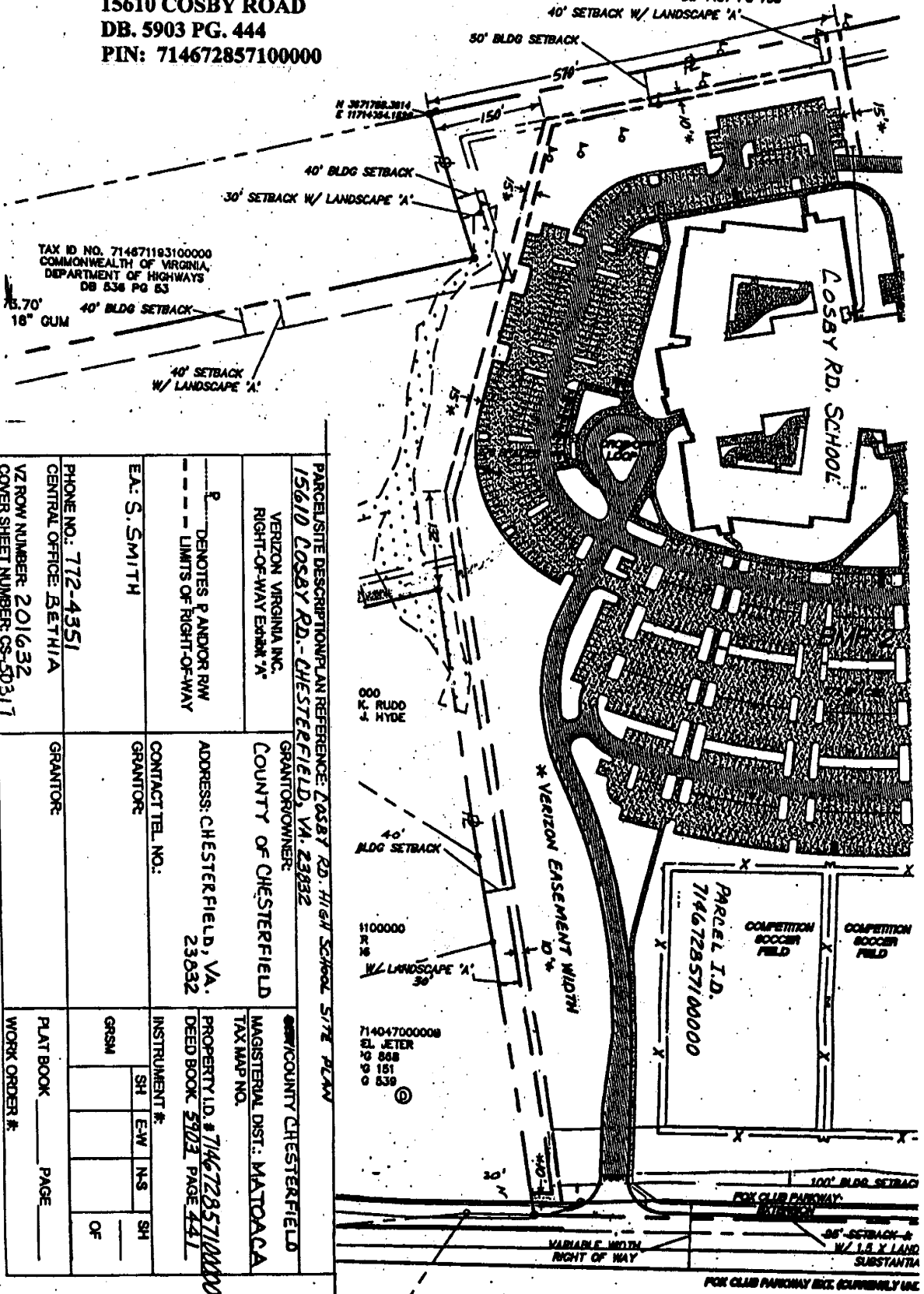
1 inch equals 583.33 feet

000119

COUNTY OF CHESTERFIELD
 15610 COSBY ROAD
 DB. 5903 PG. 444
 PIN: 714672857100000



TAX ID NO. 713671768200000
 W. V. MCCLURE, INC.
 DB 4437 PG 738



PARCEL SITE DESCRIPTION/PLAN REFERENCE: COSBY RD. HIGH SCHOOL SITE PLAN			
15610 COSBY RD. - CHESTERFIELD, VA. 23832		COUNTY OF CHESTERFIELD	
VERIZON VIRGINIA INC. RIGHT-OF-WAY EASEMENT 'A'		GRANTOR/OWNER	
P DENOTES P AND/OR R/W LIMITS OF RIGHT-OF-WAY		ADDRESS: CHESTERFIELD, VA. 23832	
EA: S. SMITH		CONTACT TEL. NO.:	
PHONE NO: 772-4351		GRANTOR:	
CENTRAL OFFICE: BETHIA		PLAT BOOK _____ PAGE _____	
VZ ROW NUMBER: 201632		WORK ORDER #:	
COVER SHEET NUMBER: CS-50317			



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.7.a.

Subject: Acceptance of a Parcel of Land Along the West Right of Way Line of Coalfield Road from the Trustees of Grace Bible Church

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBR*

Board Action Requested: Accept the conveyance of a parcel of land containing 0.184 acres along the west right of way line of Coalfield Road (State Route 754) from the Trustees of Grace Bible Church, and authorize the County Administrator to execute the deed.

Summary of Information:

It is the policy of the county to acquire right of way whenever possible through development to meet the ultimate road width as shown on the County Thoroughfare Plan. The dedication of this parcel conforms to that plan, and will decrease the right of way costs for road improvements when constructed.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

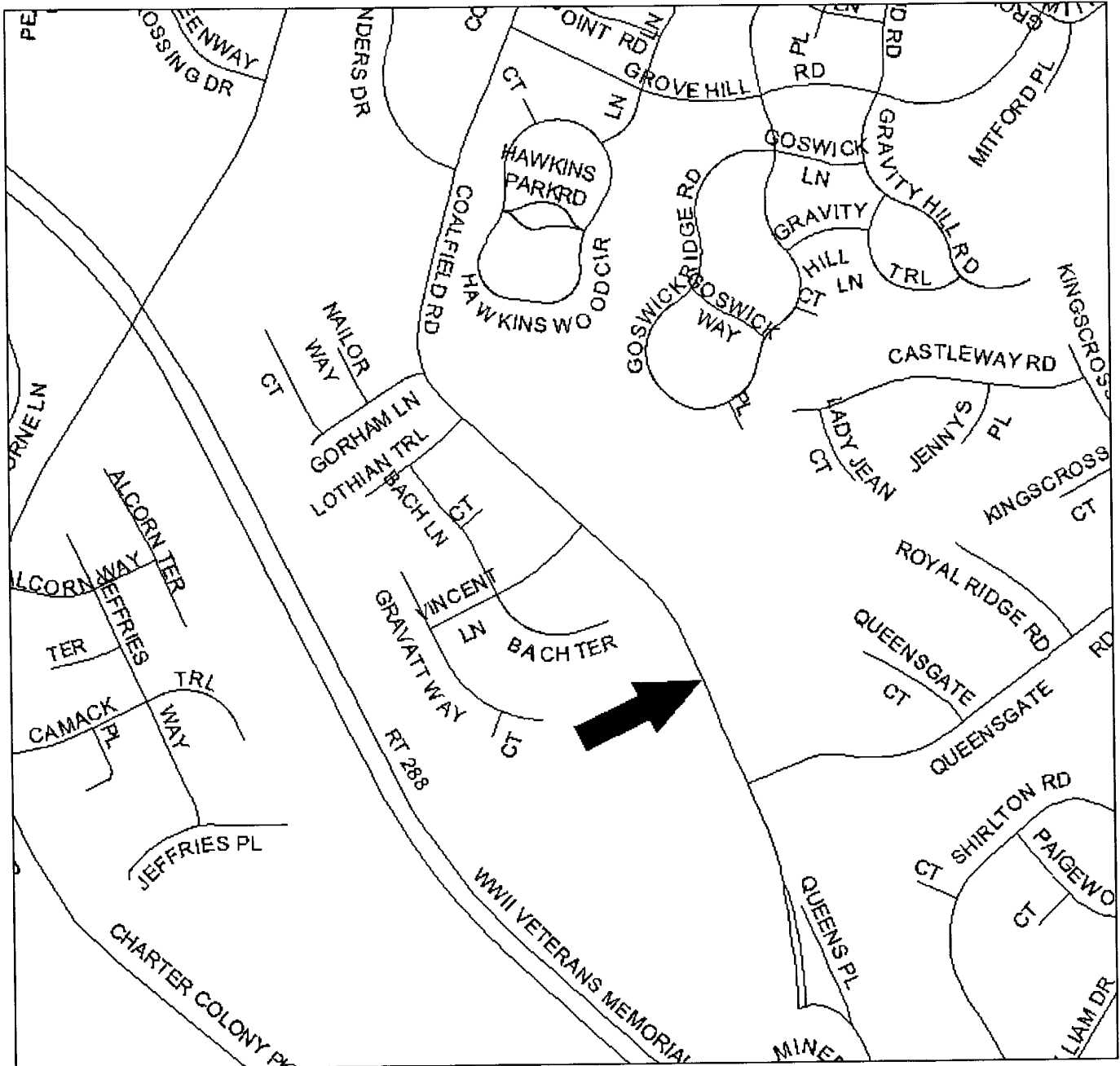


No

000121

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ALONG THE
WEST RIGHT OF WAY LINE OF COALFIELD ROAD
FROM THE TRUSTEES OF GRACE BIBLE CHURCH



Chesterfield County Department of Utilities



Sheet 665.67 of 67

000122

OWNER: GRACE BIBLE CHURCH
PROJECT #: 05-0199
SITE PLAN #: 05PR0394

HARTLEY VILLAGE
AT CHARTER COLONY
COMMON AREA
PB 135, PG 67

16' DRAIN. ESMT.
PB 135, PG 67
N71°54'02"E

15' WATER ESMT
DB 1738, PG 270
DB 1745, PG 1404

TRUSTEES OF GRACE BIBLE CHURCH
1200 COALFIELD RD
727698828300000
DB 3563, PG 685

N3699116.3700
E11727996.1500

F L & NANCY B ERDELY
1201 COALFIELD RD
728699220300000
DB 1818, PG 1400

NAD 83 PER CHARTER
COLONY PKWY DATUM



0.184 ACRES (7997 S.F.)
N22°35'32"W

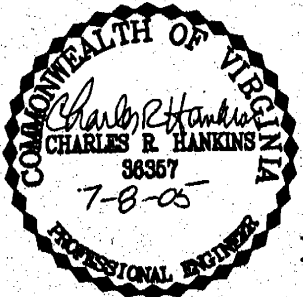
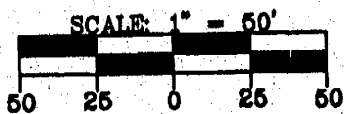
45°±

RT. 754

50' R/W

DENNIS S & ANN G STRAHAN
1211 COALFIELD RD
728698298700000
DB 1390, PG 612

N3698748.1035
E1728151.9055



COMM FOUNDATION FOR CANCER RES
1300 COALFIELD RD
727698780300000
DB 5441, PG 679

S71°54'02"W

15' WATER ESMT
DB 1739, PG 903

367' TO C/L OF
QUEENSGATE RD. EXTENDED

PLAT DEDICATING 0.184 ACRES
FROM THE PROPERTY OF
GRACE BIBLE CHURCH
IN THE MATOACA MAGISTERIAL DISTRICT,
COUNTY OF CHESTERFIELD, VIRGINIA
SCALE: 1" = 50' DATE: JULY 8, 2005

HULCHER & ASSOCIATES INC.
5901 LAKESIDE AVENUE
RICHMOND VIRGINIA, 23228
ENGINEER'S COMMISSION NO. 0455

PLAT NUMBER: _____
SHEET _____ OF _____
RECORDED _____ P.B. _____ PG. _____



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.7.b.

Subject: Acceptance of a Parcel of Land Along the North Right of Way Line of Robious Road from Village Bank Formerly Known as Southern Community Bank and Trust

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Accept the conveyance of a parcel of land containing 0.033 acres along the north right of way line of Robious Road (State Route 675) from Village Bank formerly known as Southern Community Bank & Trust, and authorize the County Administrator to execute the deed.

Summary of Information:

It is the policy of the county to acquire right of way whenever possible through development to meet the ultimate road width as shown on the County Thoroughfare Plan. The dedication of this parcel conforms to that plan, and will decrease the right of way costs for road improvements when constructed.

District: Midlothian

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

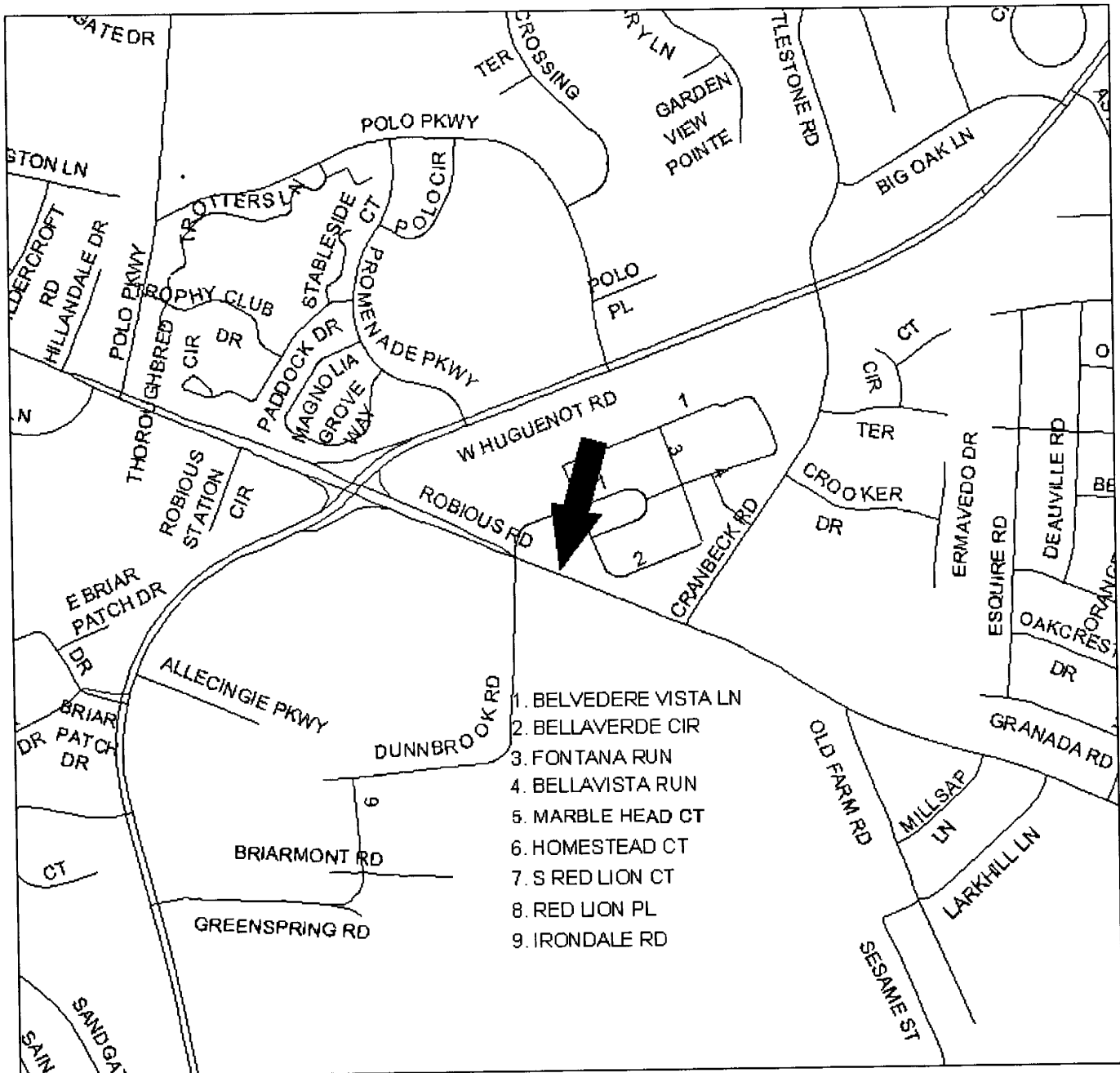


No

000124

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ALONG THE
NORTH RIGHT OF WAY LINE OF ROBIOUS ROAD
FROM SOUTHERN COMMUNITY BANK & TRUST



Chesterfield County Department of Utilities



1 inch equals 725 feet

000125

BAUTZ



NOTES: THIS PLAN WAS PREPARED WITHOUT THE NECESSITY OF A TITLE SURVEY AND IS SUBJECT TO ANY TITLE SURVEY WHICH MAY BE DISCLOSED BY SUCH TITLE SURVEY. ALL EASEMENTS AND NO IMPROVEMENTS SHOWN.

PLAT SHOWING A 16' WATER EASEMENT, A VARIABLE WIDTH SEWER EASEMENT, AND 0.033 ACRES OF LAND TO BE DEDICATED TO CHESTERFIELD COUNTY WILDMAN DISTRICT, CHESTERFIELD COUNTY, VIRGINIA

DATE: 8/1/05
DRAWN BY: SLV
CHECKED BY: ACT
DATE: 8/1/05
REVISION:

SCALE: 1"=30'
SHEET NO.: 1 OF 1
JOB NO.: 00200213.00
DEPT: 66

LAWYER			LAWYER		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
1	N 107° 25' 20" W	8.45	12	S 89° 08' 24" W	15.10
2	N 107° 25' 20" W	16.00	13	N 89° 08' 24" W	16.00
3	S 89° 08' 24" W	23.40	14	N 89° 08' 24" W	23.10
4	N 107° 25' 20" W	10.81	15	N 89° 08' 24" W	26.65
5	N 107° 25' 20" W	16.83	16	N 89° 08' 24" W	26.48
6	N 107° 25' 20" W	17.24	17	N 89° 08' 24" W	40.38
7	S 89° 08' 24" W	52.26	18	S 89° 08' 24" W	19.88
8	N 107° 25' 20" W	59.86	19	N 89° 08' 24" W	39.40
9	S 89° 08' 24" W	16.00	20	N 89° 08' 24" W	15.13
10	S 89° 08' 24" W	45.86	21	S 89° 08' 24" W	205.30
11	N 107° 25' 20" W	57.01	22	S 89° 08' 24" W	21.28

ACRES SUMMARY:
ACRES TO BE DEDICATED 0.033
REMAINDER 1.899
TOTAL ACRES 1.932

LEGEND
IRON ROD FOUND



Scale 1" = 30'

NOTE: THIS PLAN WAS PREPARED WITHOUT THE NECESSITY OF A TITLE SURVEY AND IS SUBJECT TO ANY TITLE SURVEY WHICH MAY BE DISCLOSED BY SUCH TITLE SURVEY. ALL EASEMENTS AND NO IMPROVEMENTS SHOWN.

11550 ROBLOUS ROAD
SPIN: 241-714-3505-0000
BELLEVUE DEVELOPMENT CO. LLC
PG. 138 PG. 13

16' PUBLIC
WATER EASEMENT
DR: 5027 PG. 468

30' BMP ACCESS
EASEMENT
DR: 5027 PG. 472

JOINT MAINTENANCE
AGREEMENT
DR: 5317 PG. 270
PG. 138 PG. 12

11450 ROBLOUS ROAD
SPIN: 241-714-3505-0000
SOUTHERN COMMUNITY BANK & TRUST, INC.
DR: 5317 PG. 280
PG. 138 PG. 13

EXISTING 30' VERTICAN
EASEMENT
DR: 5734 PG. 774

EXISTING 10' BELL ATLANTIC
EASEMENT
DR: 2891 PG. 794

EXISTING
30' SETBACK

EXISTING
30' SETBACK

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD BEARING
C1	43.18'	27.80'	N 27° 25' 25" W	38.88'
C2	40.16'	48.00'	N 47° 05' 04" E	38.89'
C3	22.38'	34.00'	N 67° 14' 50" E	21.88'
C4	23.96'	38.00'	N 68° 14' 59" E	23.17'

GARAGE UNITS

11100 BELLEVUE OR
SPIN: 241-714-3505-0000
BELLEVUE PROPERTIES, LLC
DR: 5405 PG. 640
PG. 137 PG. 38

EXISTING 10' GAP EASEMENT
DR: 1867 PG. 1219

ROBLOUS ROAD
STATE ROUTE 675
(VAR. WIDTH 8/1) (AS MODIFIED PER A.B. 5002 PG. 400)

TOTAL AREA TO BE
DEDICATED
1,455.9 SF
0.033 ACRES

GLUE ALE & TO THE
INTERSECTION OF THE NORTH
LINE OF ROBLOUS ROAD AND
THE WEST LINE OF CHURCH
ROAD



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.8.

Subject:

Establish a Petty Cash Fund in the Name of Ms. Vicki H. Foutz of the Police Department

County Administrator's Comments:

County Administrator: _____

ABR

Board Action Requested: Request approval of a \$2,000 Petty Cash Fund in the name of Vicki H. Foutz of the Police Department.

Summary of Information: The dollar amount of each petty cash fund established by the Board of Supervisors shall not exceed the limits set forth by Section 15.2-1229 of the Code of Virginia. (The current limit is \$5,000 per petty cash fund.) The Board of Supervisors has established petty cash funds for the County Administrator to administer for general County use. Each petty cash fund in the amount of \$500 or less established for a County department is administered within the County Administrator's petty cash fund, therefore County Administrator approval is required. County petty cash funds exceeding \$500 each must have the approval of the Board of Supervisors.

The Police Department is requesting establishment of this Petty Cash Fund for emergency operations when necessary expenditures cannot be conveniently or economically paid by checks such as: homeland security operations, disaster relief operations, and response to other emergency law enforcement operations.

Preparer: Mary Lou Lyle

Title: Director of Accounting

Attachments:

☐

Yes

☒

No

#000127



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 8.B.9.

Subject:

Award of Contract for On-Call Engineering Services to Meet the Engineering Needs of the Transportation Department

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested: The Board is requested to award an on-call engineering services contract to meet the engineering needs of the Transportation Department.

Summary of Information:

Three representatives from the Transportation Department and one from the Purchasing Department developed a Request for Proposals for on-call engineering services to meet the needs of the Transportation Department. The contract shall be effective for three years, extending through October 12, 2008, at which time it can be renewed for two one-year terms.

The following firms were chosen for the on-call engineering services contract:

- Austin Brockenbrough and Associates
- Earth Tech
- Greenhorne and O'Mara
- Johnson, Mirmiran and Thompson
- McCormick Taylor
- Site-Blauvelt Engineers, Inc.
- Timmons
- Volkert

(Continued)

Preparer: R.J. McCracken
Agen611

Title: Director of Transportation

Attachments:

☐

Yes

☒

No

000128

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Recommendation: Staff recommends that the Board award the on-call engineering services contract and authorize the County Administrator to execute the necessary documents for the following firms:

- Austin Brockenbrough and Associates
- Earth Tech
- Greenhorne and O'Mara
- Johnson, Mirmiran and Thompson
- McCormick Taylor
- Site-Blauvelt Engineers, Inc.
- Timmons
- Volkert

District: Countywide

000129



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 8.B.10.

Subject:

Approval of a Change Order to Daniel and Company, Incorporated Contractors in the Amount of \$86,022 for Road and Parking Improvements Near the Chesterfield County Animal Shelter and the New Police Evidence Building

County Administrator's Comments: *Recommended Approval*

County Administrator: *[Signature]*

Board Action Requested: Authorize the county administrator to execute a change order to Daniel and Company Inc. Contractors in the amount of \$86,022 for road and parking improvements near the animal shelter

Summary of Information: The parking area near the animal shelter and approximately 170 feet of the road leading to the new Police Evidence Building and warehouse area is in great need of repair due to both age and damage suffered during the construction of the Police Evidence and Logistics Facility. This work will entail removing the old asphalt, rebuilding the base, adding appropriate drainage structures and replacing the asphalt in the area described. This change order proposal has been comparatively priced by a second contractor, reviewed by the engineer and further recommended for acceptance.

Preparer: Francis M. Pitaro

Title: Director, Department of General Services

Attachments:

☐

Yes

☒

No

000130



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: October 12, 2005

Budget and Management Comments:

This item requests the Board to approve a change order to Daniel and Company in the amount of \$86,022 for road and parking improvements near the new police evidence building and animal control shelter.

Funding in the contingency account for the Police Evidence/Property Storage Building Project is insufficient to fund these improvements; however, funds are currently available to transfer from the Public Safety Training Center at Enon Project. The Proposed FY2007 - 2012 Capital Improvement Program (scheduled to be presented to the Board in January 2006) will restore funding to the project budget for the Public Safety Training Center at Enon.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000131



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: October 12, 2005

Item Number: 8.B.11.

Subject: Appropriation of Road Cash Proffer Funds for the Design, Right-of-Way Acquisition and Construction for the Genito Road Shoulder and Genito Road/Otterdale Road Intersection Improvement Project

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LR

Board Action Requested: The Board is requested to appropriate \$208,000 from Traffic Shed 6 road cash proffers and authorize the County Administrator to proceed with the design, right-of-way acquisition, and construction of shoulders on Genito Road (Otterdale Road to Weatherbury Place) and sight distance improvements at the Genito Road/Otterdale Road Intersection.

Summary of Information:

Genito Road west of Otterdale Road has no shoulders and the sight distance at its intersection with Otterdale Road is limited.

The estimated cost for design, right-of-way acquisition, and construction of shoulders on sections of Genito Road between Otterdale Road and Weatherbury Place and sight distance improvements to the Genito/Otterdale intersection is approximately \$900,000. Traffic Shed 6 has \$208,000 in road cash proffers. Approximately \$60,000 of the proffers can be used to prepare the design for the shoulder and sight distance improvements. The remaining funds can be used to acquire right-of-way and possibly construct an initial phase of the improvements. An additional \$763,000 in proffers from the recently approved Balsamo development is anticipated to be available in the near future. These proffers can be used to complete the project.

(Continued)

Preparer: R.J. McCracken
Agen612

Title: Director of Transportation

Attachments:



Yes



No

#000132

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 3

Summary of Information: (continued)

Additional right-of-way will have to be acquired to construct the improvements. Staff will attempt to negotiate settlement for the right-of-way. If settlement cannot be reached, staff requests authorization to advertise a public hearing for eminent domain proceedings.

Recommendation: Staff recommends the Board take the following actions:

- 1) Appropriate \$208,000 in Traffic Shed 6 road cash proffers for the Genito Road Shoulders and Genito/Otterdale Intersection Project;
- 2) Authorize the County Administrator to enter into the necessary design, right-of-way acquisition, environmental, and or construction agreements acceptable to the County Attorney for the project;
- 3) Authorize the advertisement of an eminent domain public hearing, if necessary, to acquire the necessary right-of-way.

District: Matoaca

000133



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

Meeting Date: October 12, 2005

Budget and Management Comments:

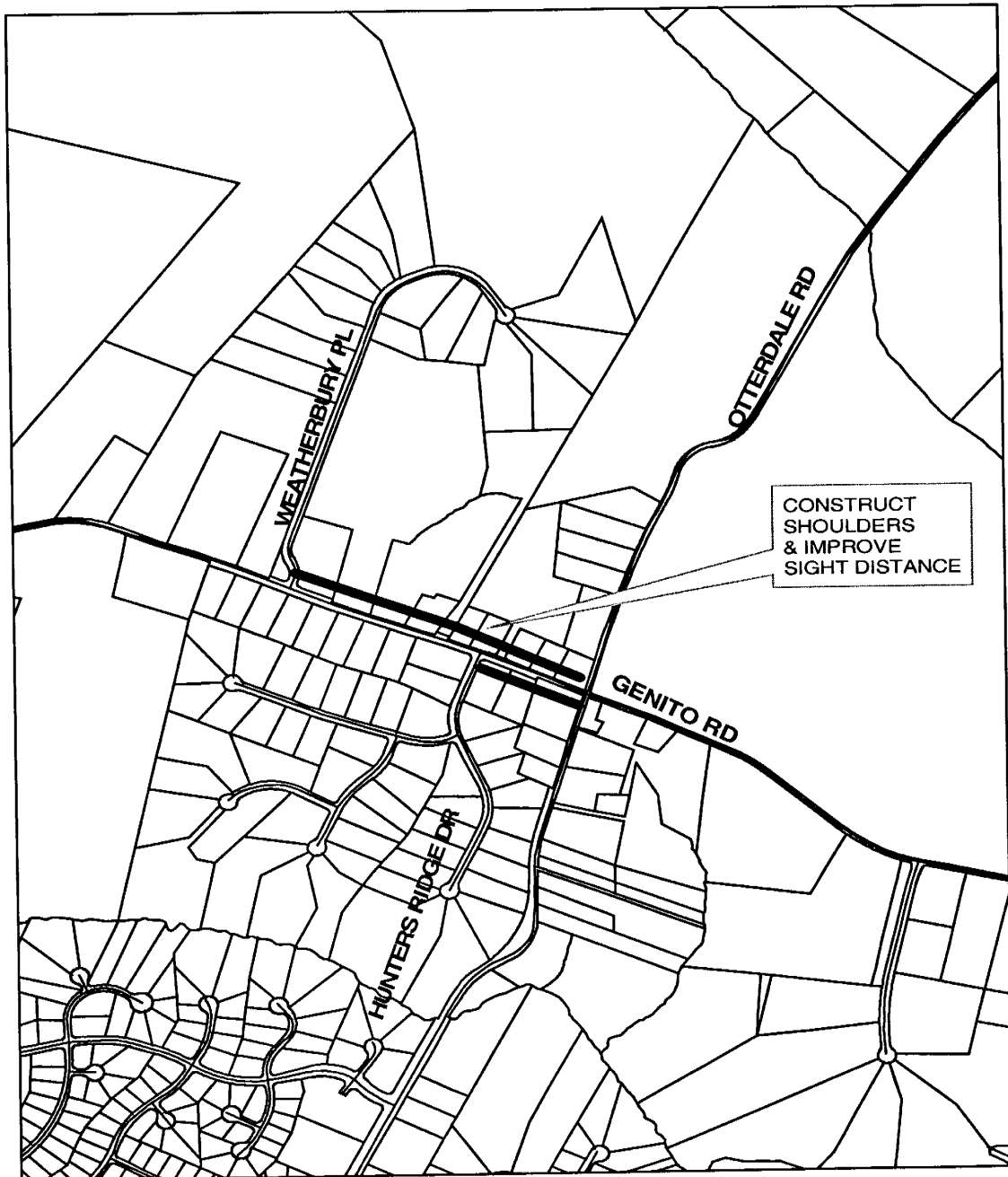
This request involves the appropriation of \$208,000 in cash proffers (from shed 6), as well as authorization for staff to proceed with the design and right-of-way acquisition for the construction of shoulders on Genito Road (Otterdale Road to Weatherbury Place) and sight distance improvements. Funds are available for appropriation.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000134

**GENITO ROAD SHOULDERS
AND
GENITO ROAD / OTTERDALE ROAD INTERSECTION IMPROVEMENT**





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 8.B.12.

Subject: Initiate an Application for Conditional Use to Permit a Wastewater Pump Station

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBH*

Board Action Requested: Initiate an application for conditional use to permit a wastewater pump station on property at 2301 Arrowfield Road, PIN: 803629370500000 and to appoint John Harmon, County Right of Way Manager as the Board's Agent.

Summary of Information:

Conditional use approval is required for construction of a new Timsbury Pump Station that serves southern Chesterfield. The current pump station has exceeded its design capacity. Staff is negotiating for the purchase of the site. Approval is recommended.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



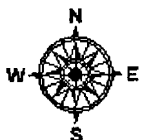
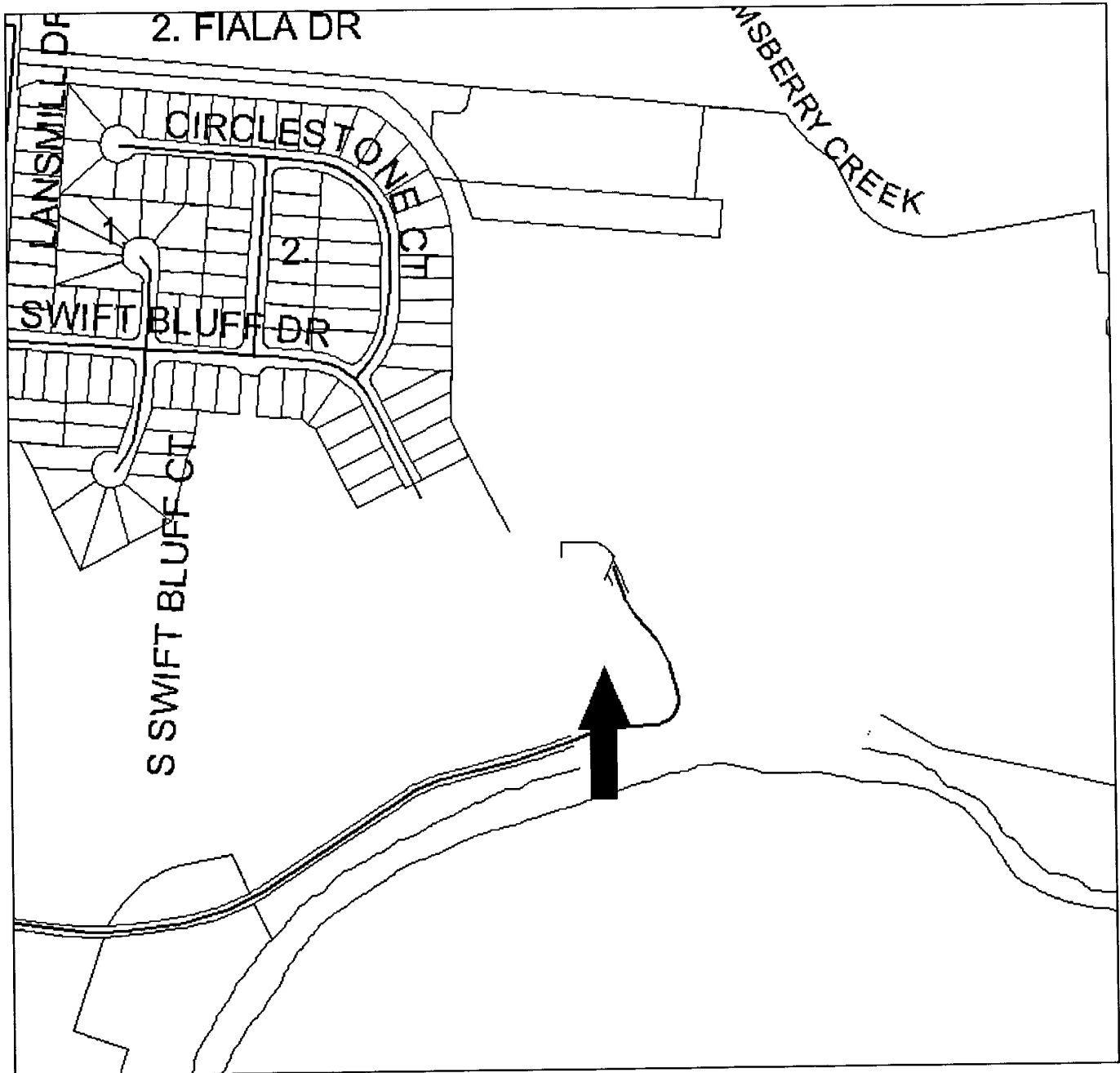
No

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000136

VICINITY SKETCH

INITIATE AN APPLICATION FOR CONDITIONAL USE TO
PERMIT A WASTEWATER PUMP STATION

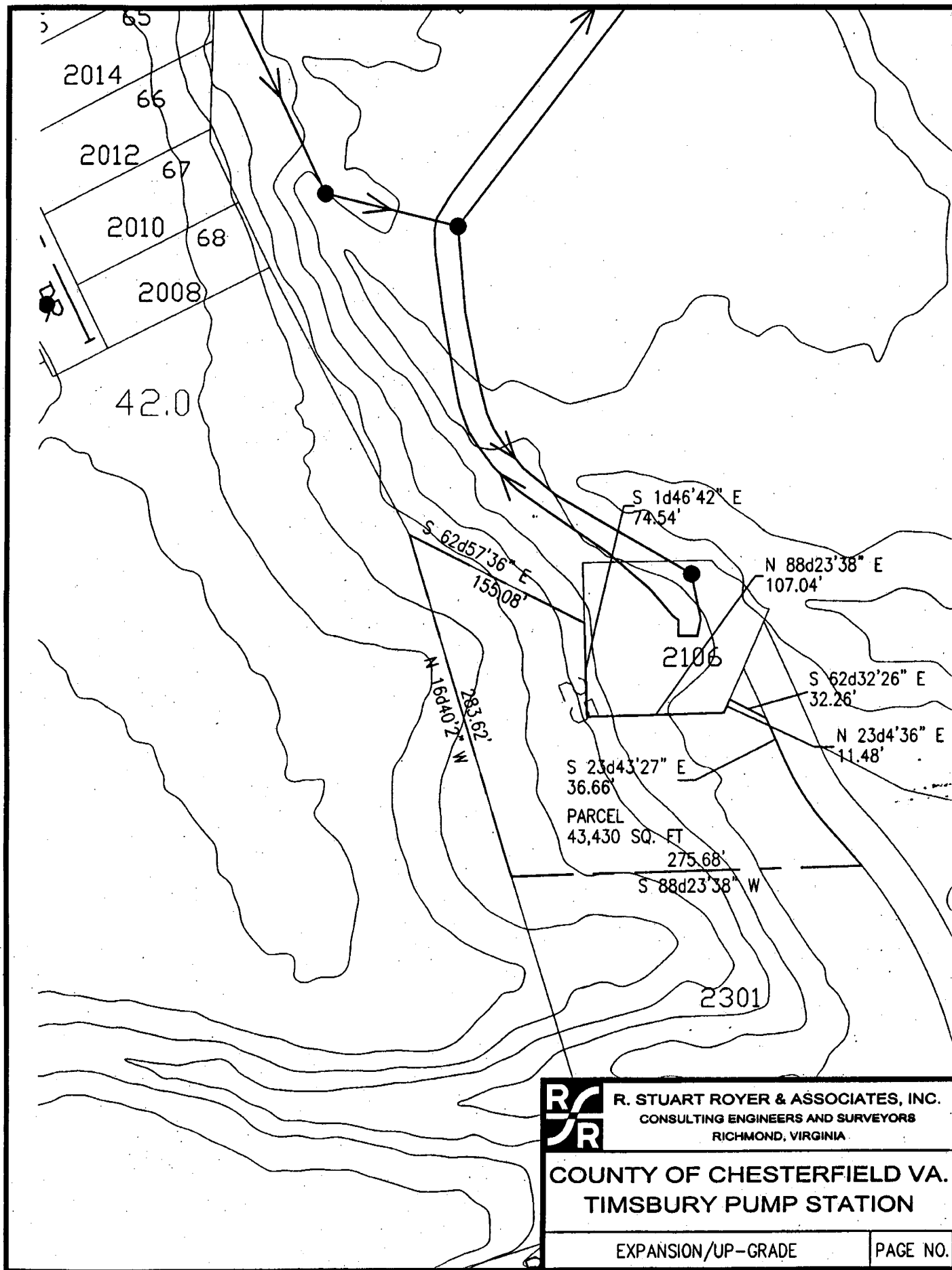


Chesterfield County Department of Utilities



1 inch equals 375 feet

000137



000138



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 4

Meeting Date: October 12, 2005

Item Number: 10.A.

Subject: Developer Water and Sewer Contracts

County Administrator's Comments:

County Administrator: _____

Board Action Requested: The Board of Supervisors has authorized the County Administrator to execute water and/or sewer contracts between County and Developer where there are no County funds involved.

The report is submitted to Board members as information.

Summary of Information:

The following water and sewer contracts were executed by the County Administrator:

- Contract Number: 00-0344
Project Name: Swift Creek Estates
Developer: Swift Creek LLC
Contractor: Castle Equipment Corporation
Contract Amount: Water Improvements - \$315,069.30
District: Matoaca

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:

☐

Yes

☒

No

000139

2. Contract Number: 01-0187
Project Name: Chester Road Auto Service and Wash

Developer: Charles M. Landen

Contractor: Perkinson Construction Company

Contract Amount: Water Improvements - \$8,379.60
Wastewater Improvements - \$13,900.29

District: Bermuda
3. Contract Number: 04-0159
Project Name: Jessup Farms, Section H

Developer: Jessup Farms LC

Contractor: Excalibur Construction Corporation

Contract Amount: Water Improvements - \$67,684.00
Wastewater Improvements - \$65,486.00

District: Matoaca
4. Contract Number: 04-0255
Project Name: Walthall Ridge

Developer: Westar Development, LLC

Contractor: Perkinson Construction Company

Contract Amount: Water Improvements - \$140,377.00

District: Bermuda
5. Contract Number: 04-0308
Project Name: Charter Colony - Charter Park Drive

Developer: B. B. Hunt, LLC

Contractor: Rhyne Contractors, Incorporated

Contract Amount: Water Improvements - \$144,346.50
Wastewater Improvements - \$55,474.80

District: Matoaca

6. Contract Number: 04-0385
Project Name: Harbour Pointe Townhouses

Developer: Brandermill Development Company, LP

Contractor: R.M.C. Contractors, Incorporated

Contract Amount: Water Improvements - \$46,126.00
Wastewater Improvements - \$57,830.00

District: Clover Hill
7. Contract Number: 04-0450
Project Name: Hood Retail - 13924 Hull Street Road

Developer: Clover Hill Shops, LC

Contractor: Bookman Construction Company

Contract Amount: Water Improvements - \$23,890.00
Wastewater Improvements - \$4,500.00

District: Clover Hill
8. Contract Number: 04-0451
Project Name: Chester Sports Park

Developer: Lucas Properties, LLC

Contractor: Shoosmith Brothers Incorporated

Contract Amount: Water Improvements - \$33,390.00
Wastewater Improvements - \$27,000.00

District: Dale
9. Contract Number: 04-0510
Project Name: Sommerville - Katherman Worsham

Developer: Katherman Investments Incorporated

Contractor: Bookman Construction Company

Contract Amount: Water Improvements - \$33,600.00
Wastewater Improvements - \$33,640.00

District: Midlothian

10. Contract Number: 04-0523
Project Name: Chick-Fil-A @ West Hundred Road

Developer: Chick-Fil-A Incorporated

Contractor: Gerald K. Moody, Incorporated

Contract Amount: Water Improvements - \$24,420.00
Wastewater Improvements - \$13,070.00

District: Bermuda
11. Contract Number: 05-0068
Project Name: Eagle's Crest @ Chesterfield Meadows

Developer: RCS Development Corporation

Contractor: Bookman Construction Company

Contract Amount: Water Improvements - \$116,980.00
Wastewater Improvements - \$140,607.00

District: Bermuda
12. Contract Number: 05-0071
Project Name: Falling Creek Villas Site
Resubdivision Lot #'s 69-74

Developer: Richmond Metropolitan Habitat for Humanity

Contractor: Roxbury Construction Company Incorporated

Contract Amount: Water Improvements - \$18,775.00
Wastewater Improvements - \$20,736.00

District: Bermuda



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 10.B.

Subject:

Status of General Fund Balance, Reserve for Future Capital Projects,
District Improvement Fund, and Lease Purchases

County Administrator's Comments:

County Administrator: 

Board Action Requested:

Summary of Information:

Preparer: Lane B. Ramsey

Title: County Administrator

Attachments:



Yes



No

#

000143

**CHESTERFIELD COUNTY
GENERAL FUND BALANCE
October 12, 2005**

BOARD MEETING <u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>BALANCE</u>
07/01/05	FY06 Budgeted Addition to Fund Balance (Projected FY05 Results of Operations)*	1,000,000	\$41,898,800

*Pending outcome of FY2005 Audit Results

CHESTERFIELD COUNTY
RESERVE FOR FUTURE CAPITAL PROJECTS
TRADITIONALLY FUNDED BY DEBT
October 12, 2005

FOR FISCAL YEAR 2005 BEGINNING JULY 1, 2004

4/14/2004	FY05 Budgeted Addition	9,600,000	11,122,692
4/14/2004	FY05 Capital Projects	(8,505,014)	2,617,678
7/28/2004	Pre-development studies for Cloverleaf Mall	(65,000)	2,552,678
8/11/2004	Deposit on acquisition of the mall buildings at Cloverleaf Mall	(250,000)	2,302,678
9/3/2004	Purchase of public safety equipment for search and rescue, natural disasters and other emergency situations	(59,600)	2,243,078
10/13/2004	Operating costs associated with Cloverleaf Mall for 2004/2005	(500,000)	1,743,078
10/13/2004	Debt Service costs associated with IDA loan for Cloverleaf Mall	(300,000)	1,443,078
10/13/2004	Other Cloverleaf Mall operating costs (including costs associated with the acquisition of additional property)	(250,000)	1,193,078
11/10/2004	Woodmont Drive road and waterline repairs resulting from damage from Tropical Storm Gaston	(30,455)	1,162,623
3/23/2005	Woodmont Drive road and waterline repairs: bids exceeded staff estimates	(6,711)	1,155,912
4/13/2005	Chesterfield Aviation Museum	(149,300)	1,006,612
6/22/2005	Transfer to Schools: Cosby Road High School generator	(150,000)	856,612

FOR FISCAL YEAR 2006 BEGINNING JULY 1, 2005

4/13/2005	FY06 Budgeted Addition	9,492,000	10,348,612
4/13/2005	FY06 Capital Projects	(7,760,500)	2,588,112
8/24/2005	Battery Dantzler Road Extension	(125,000)	2,463,112

CHESTERFIELD COUNTY
DISTRICT IMPROVEMENT FUNDS
October 12, 2005

<u>District</u>	<u>Prior Years Carry Over</u>	<u>FY2006 Appropriation</u>	<u>Funds Used to Date</u>	<u>Items on 10/12 Agenda</u>	<u>Balance Pending Board Approval</u>
Bermuda	\$21,079	\$48,500	\$12,581	0	\$56,998
Clover Hill	45,020	48,500	12,393	0	81,127
Dale	62,053	48,500	4,860	0	105,693
Matoaca	66,546	48,500	13,070	0	101,975
Midlothian	41,279	48,500	12,140	0	77,639
County Wide	-	13,500	0	-	13,500

Prepared by
Accounting Department
September 30, 2005

SCHEDULE OF CAPITALIZED LEASE PURCHASES

APPROVED AND EXECUTED

<u>Date Began</u>	<u>Description</u>	<u>Original Amount</u>	<u>Date Ends</u>	<u>Outstanding Balance 09/30/05</u>
04/99	Public Facility Lease – Juvenile Courts Project	\$16,100,000	11/19	\$12,075,000
1/01	Certificates of Participation - Building Construction, Expansion and Renovation; Acquisition/Installation of Systems	13,725,000	11/21	10,965,000
04/01	School Copier Lease #2 – Manchester High School	20,268	03/06	2,882
03/03	Certificates of Participation – Building Construction, Expansion and Renovation	6,100,000	11/23	5,780,000
03/04	Certificates of Participation – Building Construction, Expansion and Renovation; Acquisition/Installation of Systems	21,970,000	11/24	21,970,000
10/04	Cloverleaf Mall Redevelopment Project	9,225,000	10/06	9,225,000
11/04	School Archival/Retrieval System Lease	21,639	01/08	17,699
12/04	Energy Improvements at County Facilities	1,519,567	12/17	1,519,567
12/04	Energy Improvements at School Facilities	427,633	12/10	427,633
5/05	Certificates of Participation – Building Acquisition, Construction, Installation, Furnishing and Equipping; Acquisition/Installation of Systems	<u>14,495,000</u>	11/24	<u>14,495,000</u>
TOTAL APPROVED AND EXECUTED		<u>\$83,604,107</u>		<u>\$76,477,781</u>

PENDING EXECUTION

<u>Description</u>	<u>Approved Amount</u>
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000147



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 14.A.

Subject:

Resolution Recognizing "Christmas Mother Day" in Chesterfield County

County Administrator's Comments:

County Administrator: _____

ABR

Board Action Requested:

Adopt the attached resolution.

Summary of Information:

Mrs. Pat Merson has been elected Christmas Mother for 2005. She will be present at the meeting to accept the resolution.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:



Yes



No

#

000148

RECOGNIZING OCTOBER 11, 2005, AS "CHRISTMAS MOTHER DAY"

WHEREAS, most families in Chesterfield County enjoy peace and happiness during the Christmas holidays; and

WHEREAS, there are many, including children, the elderly and the less fortunate, who do not have the means to enjoy this special time of year; and

WHEREAS, the Chesterfield/Colonial Heights Christmas Committee has successfully provided food, gifts, and clothing to many of our citizens in the past; and

WHEREAS, Mrs. Pat Merson has been elected Christmas Mother for 2005 and requests support of all the citizens of the county to ensure that those less fortunate may enjoy this special season of the year.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors publicly recognizes October 11, 2005, as "Christmas Mother Day" and urges all citizens of Chesterfield County to support this worthy endeavor.

AND, BE IT FURTHER RESOLVED that the Board of Supervisors publicly commends the Christmas Committee for its very successful efforts in past years and extends best wishes for a successful 2005 season.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mrs. Merson and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 14.B.

Subject:

Adoption of Resolution Recognizing Mr. Philip Scates Upon Attaining the Rank of Eagle Scout

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Adoption of attached resolution.

Summary of Information:

Staff has received a request for the Board to adopt a resolution recognizing Mr. Philip Bryant Scates, Troop 806, Sponsored by Woodlake United Methodist Church, upon attaining the rank of Eagle Scout. He will be present at the meeting, accompanied by members of his family, to accept the resolution.

Preparer: _____ Lisa Elko

Title: _____ Clerk to the Board

Attachments:



Yes



No

000150

RECOGNIZING MR. PHILIP BRYANT SCATES UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Philip Bryant Scates, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Philip has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 12th day of October 2005, publicly recognizes Mr. Philip Bryant Scates, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the county to have such an outstanding young man as its citizens.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15.A.

Subject: PUBLIC HEARING: Ordinance to Vacate Belle Park Subdivision and Lots 3 through 6 and a Portion of a Sixteen-Foot Unimproved Right of Way Within Part of The Old Chalkley Farm Subdivision

County Administrator's Comments: *Recommend Approval*

County Administrator: *ASR*

Board Action Requested: Adopt an ordinance to vacate Belle Park Subdivision and Lots 3 through 6 and a portion of a 16' unimproved right of way within Part of The Old Chalkley Farm Subdivision, as shown on the attached plat.

Summary of Information:

L. Clarke Jones, Jr., Franklin D. Robins and Virginia Anne Jones Dobbins have submitted an application requesting the vacation of Belle Park Subdivision and Lots 3 through 6 and a portion of a 16' unimproved right of way within Part of The Old Chalkley Farm Subdivision. This request has been reviewed by staff and approval is recommended.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



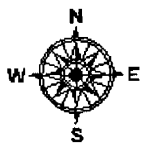
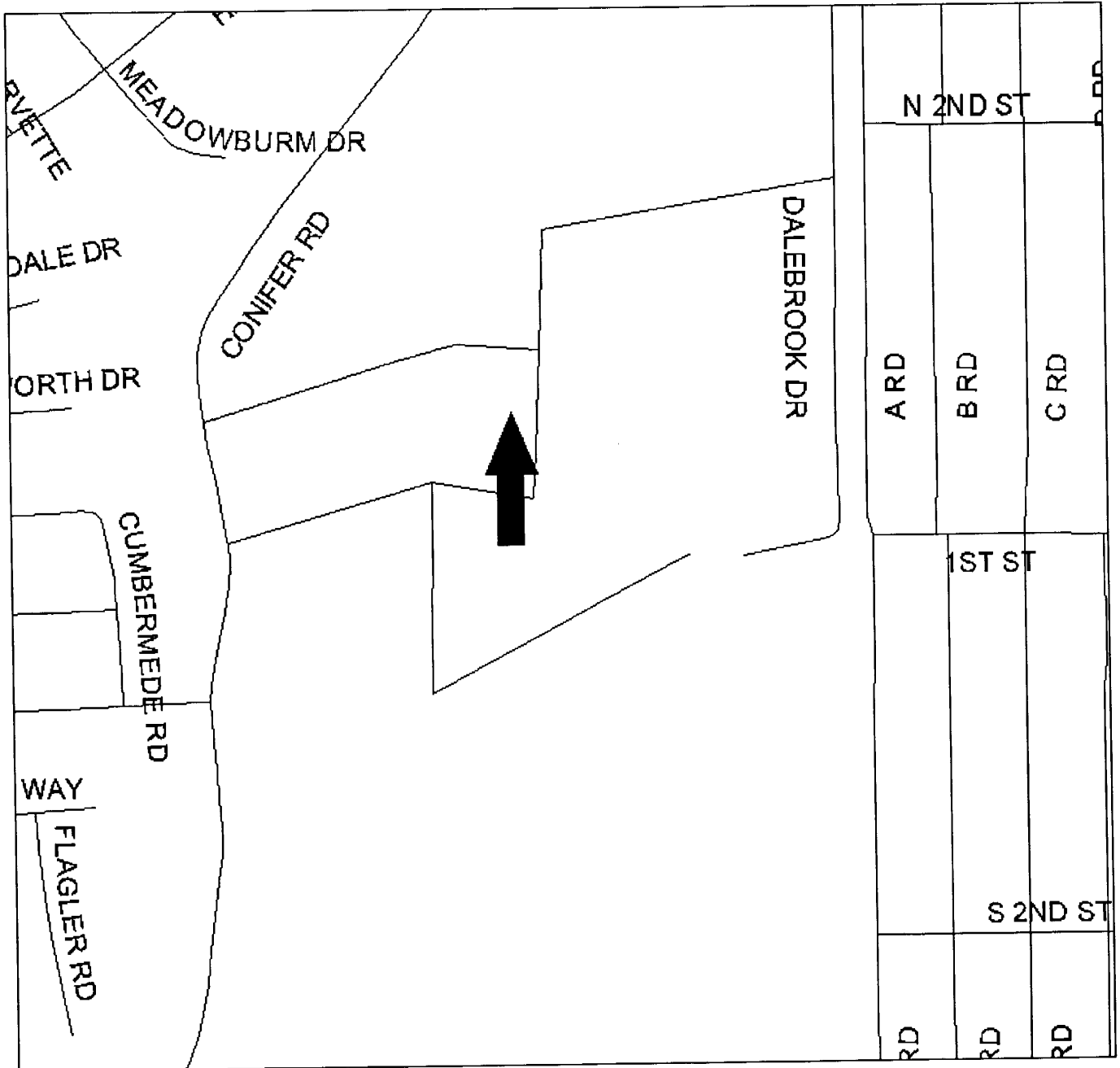
No

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000152

VICINITY SKETCH

PUBLIC HEARING: ORDINANCE TO VACATE BELLE PARK
SUBDIVISION AND LOTS 3 THROUGH 6 AND A PORTION OF
A SIXTEEN FOOT UNIMPROVED RIGHT OF WAY WITHIN
PART OF THE OLD CHALKLEY FARM SUBDIVISION

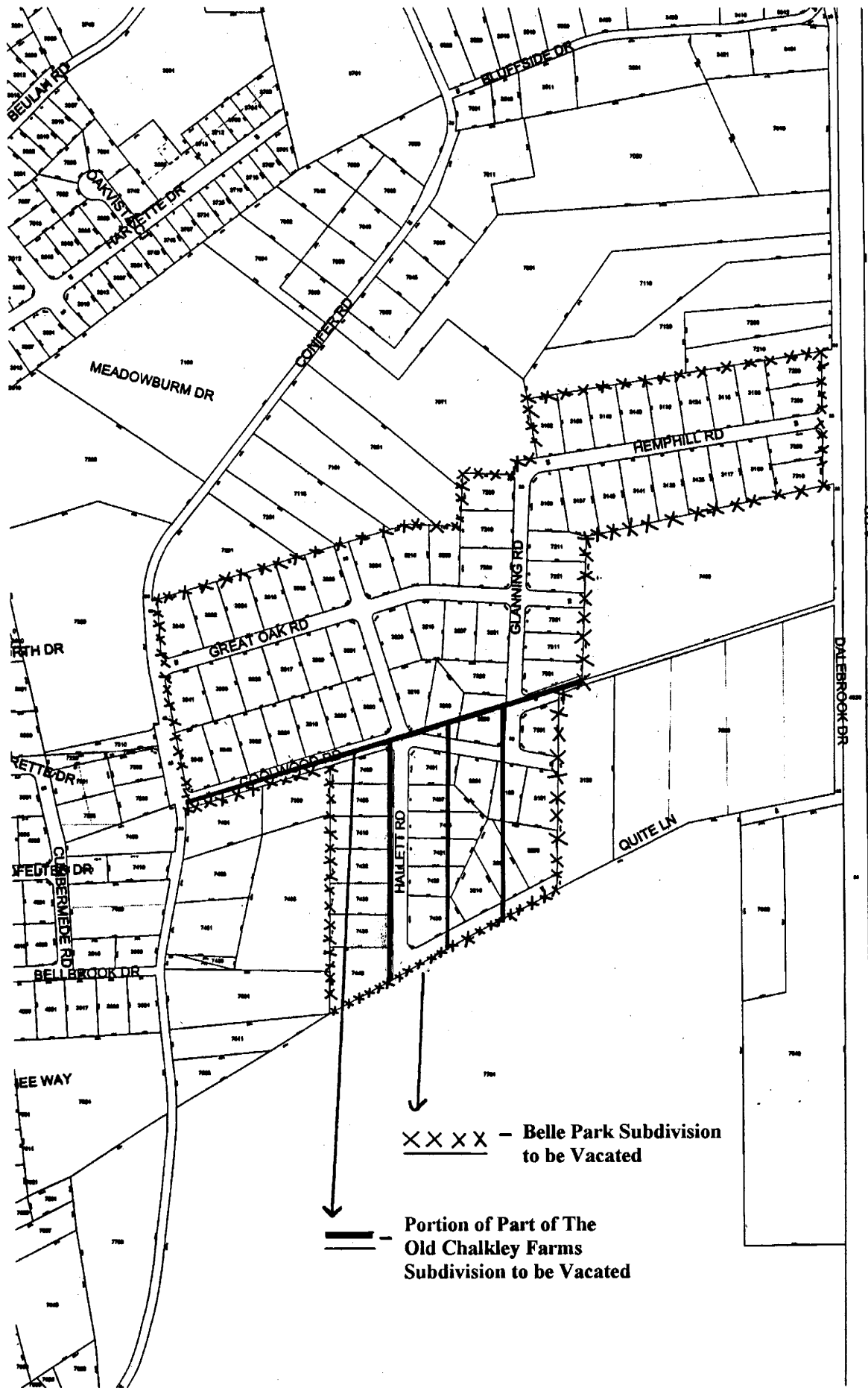


Chesterfield County Department of Utilities



1 inch equals 500 feet

000153



N 3RD ST

C RD

B RD

N 2ND ST

B RD

1ST ST

S 2ND ST

B RD

000154



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15.B.

Subject: PUBLIC HEARING: Consider the Leasing of County Property at the Northern Area Transfer Station

County Administrator's Comments: *Recommend Approval*

County Administrator: *JH*

Board Action Requested: Approve the leasing of County property at the Northern Area Transfer Station Tower to Clearwire, LLC.

Summary of Information:

Clearwire, LLC has submitted a request to lease space on the Northern Area Transfer Station Tower at 3204 Warbro Road. The lease requires plan approval by the Communications/Electronics staff prior to construction and a satisfactory intermodulation study to ensure there is no interference with the County's 911 system. The term will be for five years at \$24,000 per year, with three five-year renewal terms. This revenue is anticipated as part of the Adopted FY2006 Budget.

A public hearing is required to lease County property.

Approval is recommended.

Districts: Clover Hill

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:

☐

Yes

☒

No

000155



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 15.C.

Subject:

A Public Hearing to Consider Amending Sections 19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108, 19-124, 19-301, and 19-510 of the Code of the County of Chesterfield, 1997, as Amended Relating to Home Occupations

County Administrator's Comments: *Along with Dr. Cannaday, I have concerns about the school bus restriction.*

County Administrator: *ABR*

Board Action Requested:

The Planning Commission and staff recommend that the Board of Supervisors approve these amendments to the Code of the County of Chesterfield.

Summary of Information:

On July 27, 2005, the Board of Supervisors deferred these amendments to their October 12, 2005, meeting to allow time for further review and consideration.

The Planning Commission held their public hearing on the attached zoning ordinance amendments on April 19, 2004. One person spoke in opposition and one person spoke in favor of these amendments which concern home occupations, truck parking and tow vehicles. Following the public hearing, the Planning Commission deferred these amendments to its April 21, 2005, meeting and then to its May 17, 2005, meeting. On May 17, 2005, the Planning Commission unanimously recommended approval of the enclosed ordinance amendments.

These ordinance amendments accomplish two separate tasks: (1) changing home occupations from an accessory use to a restricted use in residential and agricultural districts, revising some home occupations conditions, and adding some additional categories of businesses that may

Preparer: Kirkland A. Turner Title: Director of Planning

Attachments:



Yes



No

#

000156

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

not be conducted from the home; and (2) making truck parking a restricted use in residential districts, with specific provisions for tow vehicles.

Home Occupations

Home occupations will be moved from accessory to restricted uses. The definition of home occupation, section 19-301, will be amended to delete the specific listed restrictions, which are instead moved into the restrictions for the home occupation restricted use. Additional restrictions for home occupations are proposed as follows: to permit only one home occupation per dwelling unit, to permit non family member employees, to permit certain external alterations to the property, to allow some commodity storage, to restrict equipment storage, to restrict tow vehicle parking as part of a home occupation and to restrict the number of clients on the property at one time. Finally, the amendments will prohibit dance studios, motor vehicle repair, motor vehicle painting or body work, motor vehicle detailing, private clubs and trash collections as home occupations.

Commercial Vehicle Parking

Truck parking in R, R-TH, R-MF Districts will be deleted from section 19-510 and, instead, parking commercial trucks, commercial vehicles, public service vehicles or school buses will be made a restricted use in those districts, subject to weight and axle restrictions. There are also proposed restrictions specific to tow vehicles, including allowable weight and type of vehicle, lot size and need for screening, and load restrictions.

000157

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 19-65, 19-66, 19-102, 19-103, 19-107.1,
19-108, 19-124, 19-301 AND 19-510 RELATING TO HOME OCCUPATIONS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Sections 19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108, 19-124, 19-301 and 19-510 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:*

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (e) Home occupation, provided that:
 - (1) No more than one home occupation shall be permitted within each dwelling unit.
 - (2) No employees shall be permitted to work on the premises other than family member employees that live on the premises.
 - (3) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater.
 - (4) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted.
 - (5) No commodity is stored or sold on the premises except for light inventory.
 - (6) No more than one vehicle and one single axle trailer not exceeding 13 feet in length and 3,200 pounds used in conjunction with the home occupation may be parked on the premises. No equipment shall be stored outside the dwelling or accessory structure that would indicate that a business is being conducted on site except for equipment stored on the vehicle or trailer used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, but a trailer must be parked, except for loading or unloading, either in the rear yard or so that its view is screened from adjacent properties or public roads. A vehicle used for towing shall not be permitted to have a vehicle in tow or on its flatbed while it is parked on the premises, and

- (7) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

(f) Parking and storage of any commercial truck, commercial vehicle, public service vehicle or school bus provided that no such vehicle shall exceed 6,000 pounds or have more than two axles, except tow vehicles may exceed 6,000 pounds or have more than two axles. The restriction in this subsection shall not apply to (i) trucks, vehicles or buses on the premises while loading or unloading; or (ii) trucks or vehicles parked on a farm where the parking is incidental to the farming use being conducted on the property.

- (1) Parking of no more than one tow vehicle, provided:

- a. The vehicle shall be of wrecker or roll back body style.
- b. The vehicle shall not exceed 16,000 pounds.
- c. The vehicle shall be located on a lot three acres or greater or shall be parked under a carport or within a garage or shall be parked so that its view is screened from adjacent properties or public roads.
- d. The vehicle shall not be permitted to have a vehicle in tow or on its flatbed.

Sec. 19-66. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-88 District:

o o o

~~(b)~~ ~~Home occupations.~~

~~(e)~~ (b) Tennis courts and similar recreational facilities.

~~(d)~~ (c) Swimming pools and adjoining deck areas; provided that no swimming pool wall shall be located within six feet of an adjacent lot or parcel nor in a required front or corner side yard.

~~(e)~~ (d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of the work.

~~(f)~~ (e) Signs.

~~(g)~~ (f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

o o o

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (e) Home occupation, provided that:
 - (1) No more than one home occupation shall be permitted within each dwelling unit.
 - (2) No employees shall be permitted to work on the premises other than family member employees that live on the premises,
 - (3) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,
 - (4) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted,
 - (5) No commodity is stored or sold on the premises except for light inventory,
 - (6) No more than one vehicle and one single axle trailer not exceeding 13 feet in length and 3,200 pounds used in conjunction with the home occupation may be parked on the premises. No equipment shall be stored outside the dwelling or accessory structure that would indicate that a business is being conducted on site except for equipment stored on the vehicle or trailer used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, but a trailer must be parked, except for loading or unloading, either in the rear yard or so that its view is screened from adjacent properties or public roads. A vehicle used for towing shall not be permitted to have a vehicle in tow or on its flatbed while it is parked on the premises, and
 - (7) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

(f) Parking and storage of any commercial truck, commercial vehicle, public service vehicle or school bus provided that no such vehicle shall exceed 6,000 pounds or have more than two axles, except tow vehicles may exceed 6,000 pounds or have more than two axles. The restriction in this subsection shall not apply to (i) trucks, vehicles or buses on the premises while loading or unloading; or (ii) trucks or vehicles parked on a farm where the parking is incidental to the farming use being conducted on the property.

(1) Parking of no more than one tow vehicle, provided:

- a. The vehicle shall be of wrecker or roll back body style.
- b. The vehicle shall not exceed 16,000 pounds.
- c. The vehicle shall be located on a lot three acres or greater or shall be parked under a carport or within a garage or shall be parked so that its view is screened from adjacent properties or public roads.
- d. The vehicle shall not be permitted to have a vehicle in tow or on its flatbed.

o o o

Sec. 19-103. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-TH District:

o o o

~~(b) — Home occupations.~~

~~(e)~~ (b) Tennis courts and similar recreational facilities.

~~(d)~~ (c) Swimming pools and adjoining deck areas; provided that no swimming pool wall shall be located within six feet of an adjacent lot or parcel nor in a required front or corner side yard.

~~(e)~~ (d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of the work.

~~(f)~~ (e) Signs.

~~(g)~~ (f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

o o o

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Home occupation, provided that:

(1) No more than one home occupation shall be permitted within each dwelling unit.

(2) No employees shall be permitted to work on the premises other than family member employees that live on the premises.

- (3) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,
- (4) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted,
- (5) No commodity is stored or sold on the premises except for light inventory,
- (6) No more than one vehicle and one single axle trailer not exceeding 13 feet in length and 3,200 pounds used in conjunction with the home occupation may be parked on the premises. No equipment shall be stored outside the dwelling or accessory structure that would indicate that a business is being conducted on site except for equipment stored on the vehicle or trailer used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, but a trailer must be parked, except for loading or unloading, either in the rear yard or so that its view is screened from adjacent properties or public roads. A vehicle used for towing shall not be permitted to have a vehicle in tow or on its flatbed while it is parked on the premises, and
- (7) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.
- (e) Parking and storage of any commercial truck, commercial vehicle, public service vehicle or school bus provided that no such vehicle shall exceed 6,000 pounds or have more than two axles, except tow vehicles may exceed 6,000 pounds or have more than two axles. The restriction in this subsection shall not apply to (i) trucks, vehicles or buses on the premises while loading or unloading; or (ii) trucks or vehicles parked on a farm where the parking is incidental to the farming use being conducted on the property.
 - (1) Parking of no more than one tow vehicle, provided:
 - a. The vehicle shall be of wrecker or roll back body style.
 - b. The vehicle shall not exceed 16,000 pounds.
 - c. The vehicle shall be located on a lot three acres or greater or shall be parked under a carport or within a garage or shall be parked so that its view is screened from adjacent properties or public roads.

- d. The vehicle shall not be permitted to have a vehicle in tow or on its flatbed.

o o o

Sec. 19-108. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-MF District:

o o o

- ~~(b)~~ ~~Home occupations.~~
- ~~(e)~~ (b) Recreational facilities as required for the project and that primarily serve the surrounding residential community.
- ~~(d)~~ (c) Management office and maintenance buildings for the project.
- ~~(e)~~ (d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of such work.
- ~~(f)~~ (e) Signs.
- ~~(g)~~ (f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

o o o

Sec. 19-124. Uses permitted with certain restrictions.

The following uses shall be permitted in the A District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (e) Home occupation, provided that:
- (1) No more than one home occupation shall be permitted within each dwelling unit.
- (2) No employees shall be permitted to work on the premises other than family member employees that live on the premises.
- (3) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater.
- (4) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted.
- (5) No commodity is stored or sold on the premises except for light inventory.

- (6) No more than one vehicle and one single axle trailer not exceeding 13 feet in length and 3,200 pounds used in conjunction with the home occupation may be parked on the premises. No equipment shall be stored outside the dwelling or accessory structure that would indicate that a business is being conducted on site except for equipment stored on the vehicle or trailer used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, but a trailer must be parked, except for loading or unloading, either in the rear yard or so that its view is screened from adjacent properties or public roads. A vehicle used for towing shall not be permitted to have a vehicle in tow or on its flatbed while it is parked on the premises, and
- (7) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

o o o

Sec. 19-301. Definitions.

o o o

Home occupation: Any occupation, profession, enterprise or activity conducted ~~solely by one or more members of a family on the premises~~ which is incidental and secondary to the use of the premises as a dwelling, including but not limited to the home office of a member of a recognized or licensed profession, such as an attorney, physician, dentist, certified massage therapist as defined in County Code § 15-91, musician, artist, real estate salesperson or broker, or engineer; ~~provided that:~~

- (1) ~~Not more than the equivalent area of one quarter of one floor shall be used for such purpose;~~
- (2) ~~Such occupation shall not require external alterations;~~
- (3) ~~No commodity is stored or sold, except those made on the premises;~~
- (4) ~~There shall be no group instruction, assembly or activity, and no display that will indicate from the exterior that the building is being used in part for any purpose other than that of a dwelling; and~~
- (5) ~~Only one motor vehicle used in conjunction with the home occupation is parked on the premises.~~

Permitted home occupations shall not include animal hospitals or kennels, beauty parlors, barbershops, dance studios, motor vehicle repair, motor vehicle painting or body work, motor vehicle detailing, nursing homes, convalescent homes, rest homes, private clubs, tourist homes, trash collection or similar establishments offering services to the general public.

o o o

Sec. 19-510. Restrictions and limitations--Agricultural, residential, residential townhouse, multi-family residential, manufactured homes.

- (a) Parking and storing recreational equipment in R, R-TH, MH and R-MF Districts:
- (1) In all MH-2, MH-3, and R Districts, only two items of recreational equipment may be parked on a zoning lot for each dwelling unit thereon, outside of a totally enclosed building. Further, all recreational equipment shall be parked or stored in a rear yard, except for loading or unloading, and shall be set back at least ten feet from the rear lot lines and five feet from the side lot lines. No trailer or vehicle shall have its wheels removed except for repair purposes.
- (2) No recreational equipment shall be used for living or business purposes or connected to utility services except for maintenance purposes.
- (3) In R-TH, and R-MF Districts, parking and storing recreational equipment shall be prohibited unless a common storage area(s) is (are) provided for the parking. Parking spaces for recreational equipment and/or vehicles shall be in addition to that required for parking private vehicles. The storage area(s) shall be effectively screened from view.

~~(b) Truck Parking in R, R-TH, MH and R-MF Districts. No off street parking area or other premises in an R, R-TH, MH and R-MF District, except on a farm where the parking is incidental to the farming use being conducted on the property, shall be used for the parking or storage of any truck or commercial vehicle exceeding 4,000 pounds net weight and having more than two axles, except while loading or unloading on the premises.~~

(e) (b) Parking areas for five or more vehicles on lots in A, R, MH and R-TH districts, which are not used for residential purposes, shall conform to the parking requirements as though the property were located in an O, C or I District.

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: October 12, 2005

Item Number: 15.D.

Subject: Public Hearing to Consider FY2007 Enhancement Projects

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Hold a public hearing to consider FY2007 Enhancement Projects; approve the FY2007 Enhancement Priority Project list and forward to area Metropolitan Planning Organizations (MPOs); adopt resolutions of support for the projects; and authorize the County Administrator to enter into agreements for the projects.

Summary of Information: The Virginia Department of Transportation (VDOT) Enhancement Program is intended to creatively integrate transportation facilities into the surrounding communities and the natural environment. Projects eligible for funding include pedestrian and bicycle facilities; pedestrian and bicycle educational/safety activities; scenic easement/historic site acquisition; scenic/historic highway programs; landscaping; historic preservation; rehabilitation of historic transportation buildings; preservation of abandoned railroad corridors/conversion to trails; control/removal of outdoor advertising; archaeological planning and research; mitigation of water pollution and wildlife protection; and establishment of transportation museums.

In FY2006, \$22 million was available statewide for VDOT to carry out the program. Out of five (5) priority projects submitted to VDOT for FY2006, the county only received \$100,000 for the Winchester Green (Phase II) project. Transportation Enhancement Projects are financed with 80% VDOT funds and a minimum 20% local match. The local match is usually provided from county funds, from others and/or by in-kind contributions. VDOT staff will evaluate project applications and make a recommendation to the Commonwealth Transportation Board for inclusion in the FY07-FY12 Virginia Transportation Six-Year Improvement Program.

(Continued)

Preparer: R.J. McCracken
Agen610

Title: Director of Transportation

Attachments:



Yes



No

#000166

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 3

Summary of Information: *(continued)*

The proposed FY2007 Enhancement Projects (see Attachments A and B) are the same as those approved by the Board for FY2006 except for the new Chippenham, Jefferson Davis Interchange Beautification project which replaces the Winchester Green Sidewalk and Landscaping project. The Better Housing Coalition has advised that the Winchester Green project does not need any additional Enhancement funds.

The Board should confirm support for the priority enhancement projects by adopting a resolution of support, which guarantees the county will provide the local match. If approved and funded by VDOT, staff will prepare another agenda item requesting appropriation of the required match. The amounts for the local match, totaling \$299,000, are as follows: Chippenham/Jefferson Davis Interchange Beautification (\$70,000), Genito Road Streetlights (\$10,000), Cogbill Road Sidewalk, Phase I (\$94,000), Virginia State University Sidewalk (\$45,000) and Walton Park Sidewalk, Phase II (\$80,000).

Unless the Board directs otherwise, projects listed on Attachment A under "Other Projects" will not be submitted for funding consideration this year. These other projects will stay on the Enhancement Project list for the Board's consideration in the future.

Enhancement projects are required to have endorsement from area Metropolitan Planning Organizations (MPOs). The project list, as approved by the Board, should be forwarded to the Richmond and Tri-Cities MPOs.

The Genito Road Streetlight project will require the county to bear the operating expense associated with the lights (approximately \$3,000 per year).

Recommendation: Staff recommends the Board take the following actions:

1. Approve the proposed FY07 Enhancement Priority Project list (Attachment A), and forward it to the Richmond and Tri-Cities Metropolitan Planning Organizations for endorsement;
2. Adopt the attached resolutions requesting VDOT approval and guaranteeing the local match for the projects. NOTE: If projects are approved and funded by VDOT, staff will return to the Board with an identified source for the required match, up to a total of \$299,000.
3. Authorize the County Administrator to enter into agreements between VDOT/county/consultant/contractor, for design, environmental permit, right-of-way acquisition, and/or construction agreements, acceptable to the County Attorney, for projects approved by VDOT.

District: Countywide

000167



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

Meeting Date: October 12, 2005

Budget and Management Comments:

This request involves holding a public hearing to consider the FY2007 road enhancement projects as detailed in the previous pages. In the event that VDOT agrees to fund all of these projects, the local match would be \$299,000. Upon VDOT approval and funding, staff will return to the Board with a local match funding recommendation.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000168

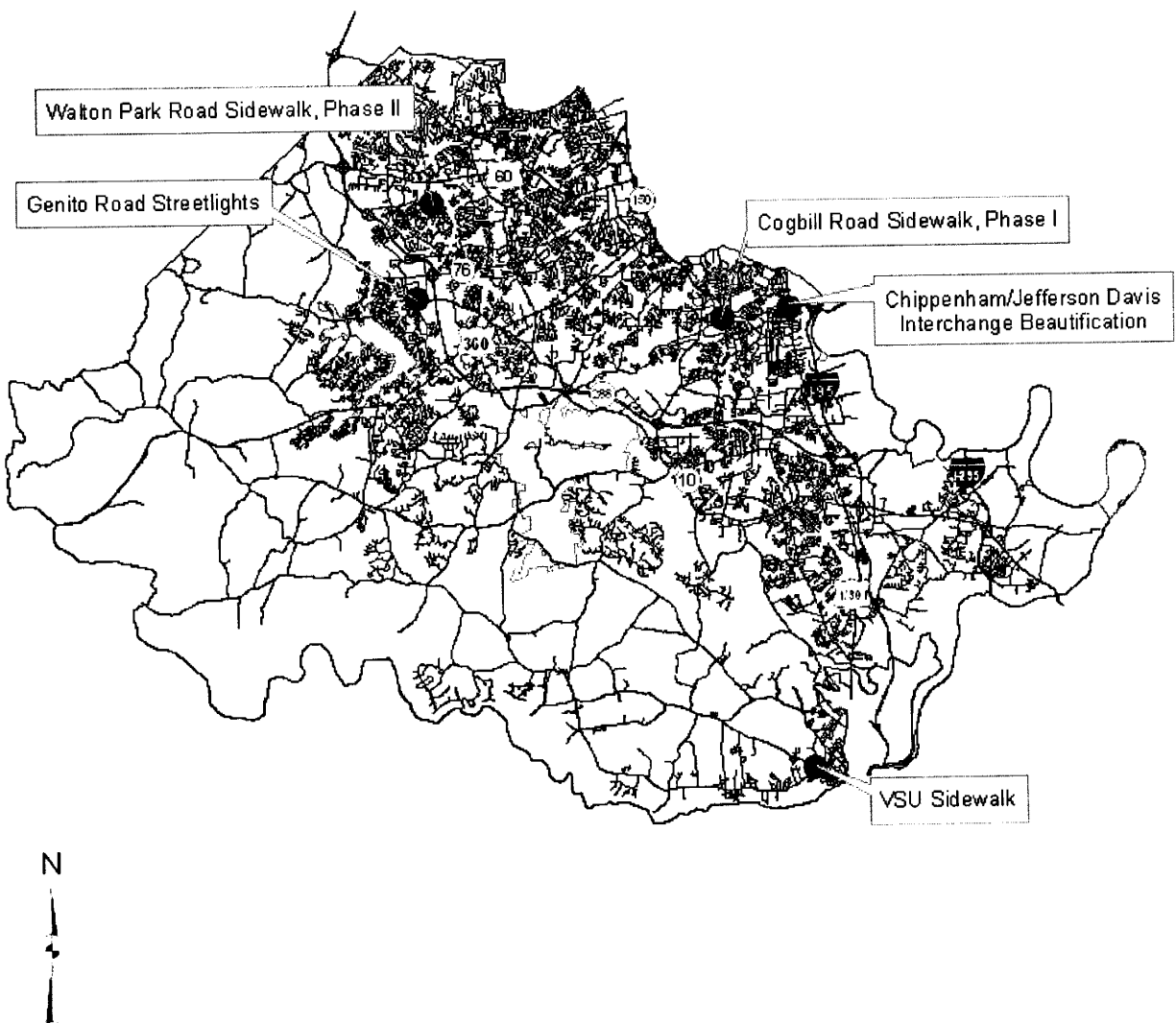
CHESTERFIELD COUNTY PROPOSED FY07 ENHANCEMENT PROJECTS

	Funding Request	Local Match Transfers
Priority Projects:		
Chippenham/Jefferson Davis Interchange Beautification Project	\$350,000	\$70,000
Genito Road Streetlights - from Fox Chase Lane to Waterloo Road	\$50,000	\$10,000
Cogbill Road Sidewalk - from Meadowbrook HS to Meadowdale Library, Phase I of a \$0.82M project	\$470,000	\$94,000
VSU Sidewalk - Hickory Road/River Road from Woodpecker Rd to James St - \$0.4M project	\$225,000	\$45,000
Walton Park Road Sidewalk, located between North Woolridge Road and Queensgate Road, Phase II of a \$1.1M project	\$400,000	\$80,000
Other Projects:		
Point of Rocks Bike Trail on Enon Church Road - from Point of Rocks Park to Enon Library, Phase I (preliminary engineering) of \$1.3M project	\$240,000	
Cogbill Road Sidewalk, from School Board Facility to Hopkins Road	\$225,000	
Spirea Road Sidewalk - from Mountain Laurel Drive to Sunflower Lane	\$500,000	
Chesterfield Avenue Sidewalk Safety Improvements, Phase I	\$300,000	
Hickory Road Sidewalk - from Ravensbourne Drive to Woodpecker Road, Phase I of \$1.2M project	\$400,000	
East River Road Sidewalk and Pedestrian Trail (RR RW to River)	\$900,000	
Westfield Road Sidewalk, between Sycamore Square Drive and Winterfield Road, Phase I of \$1M project	\$500,000	
VSU Entrances Landscaping	\$140,000	
Route 10 Streetscaping (Courthouse Complex), between Centralia Road and Beach Road, Phase II	\$670,000	
Route 10/1-295 Landscaping	\$50,000	
Route 360 Landscaping, from Route 288 to Swift Creek	\$70,000	
Countywide Gateway Project	\$220,000	
Robious Road Streetlights, between Huguenot Road and Salisbury Road, Phase I	\$50,000	
Route 360 Streetlights, Old Hundred Road to Woodlake Village Parkway	\$200,000	
Dutch Gap Conservation Area Trail and Pedestrian Bridge	\$150,000	
Pocahontas State Park Perimeter Trail	\$340,000	
Powhite Parkway/Route 288 Sight & Sound Barriers, Phase I	\$1,000,000	

ATTACHMENT A

000169

Chesterfield County Proposed FY07 Priority Enhancement Projects



9-28-05
v:\m\BBA\en107\agenda map

Attachment B

000170

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that the local governing body request, by resolution, approval of a proposed enhancement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the CTB establish a project for Chippenham/Jefferson Davis Interchange Beautification project.

BE IT FURTHER RESOLVED that the Board hereby agrees to pay 20 percent of the total estimated cost of \$350,000 for planning, design, right-of-way, and construction of the Project, and that, if the Board subsequently elects to unreasonably cancel this project, the County of Chesterfield hereby agrees that the Virginia Department of Transportation will be reimbursed for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that the local governing body request, by resolution, approval of a proposed enhancement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the CTB establish a project for the installation of streetlights along Genito Road from Fox Chase Lane to Watercove Road.

BE IT FURTHER RESOLVED, that the Board hereby agrees to pay 20 percent of the total estimated cost of \$50,000 for planning, design, right-of-way, and construction of the Genito Road Streetlight Project, and that, if the Board subsequently elects to unreasonably cancel this project, the County of Chesterfield hereby agrees that the Virginia Department of Transportation will be reimbursed for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

000172

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that the local governing body request, by resolution, approval of a proposed enhancement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the CTB establish a project for Phase I of the Cogbill Road Sidewalk Project from Meadowbrook High School to Meadowdale Branch Library.

BE IT FURTHER RESOLVED, that the Board agrees to pay 20 percent of the total estimated cost of \$470,000 for planning, design, right-of-way, and construction of Phase I of the Cogbill Road Sidewalk Project from Meadowbrook High School to Meadowdale Branch Library, and that, if the Board subsequently elects to unreasonably cancel this project, the County of Chesterfield hereby agrees that the Virginia Department of Transportation will be reimbursed for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that the local governing body request, by resolution, approval of a proposed enhancement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the CTB establish a project for VSU Sidewalk along Hickory, River and East River Roads from Woodpecker Road to James Street.

BE IT FURTHER RESOLVED that the Board hereby agrees to pay 20 percent of the total estimated cost of \$225,000 for planning, design, right-of-way, and construction of the Project, and that, if the Board subsequently elects to unreasonably cancel this project, the County of Chesterfield hereby agrees that the Virginia Department of Transportation will be reimbursed for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that the local governing body request, by resolution, approval of a proposed enhancement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the CTB establish a project for Phase II of Walton Park Road Sidewalk Project located between North Woolridge Road and Queensgate Road.

BE IT FURTHER RESOLVED that the Board hereby agrees to pay 20 percent of the total estimated cost of \$400,000 for planning, design, right-of-way, and construction of Phase II of the Walton Park Road Sidewalk Project, and that, if the Board subsequently elects to unreasonably cancel this project, the County of Chesterfield hereby agrees that the Virginia Department of Transportation will be reimbursed for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: October 12, 2005

Item Number: 15.E.

Subject:

Public Hearing to Consider the Appropriation of Funds for the Route 360
(Swift Creek to Winterpock Road) Widening Project

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LBK

Board Action Requested:

Hold a public hearing to consider the appropriation of an additional \$10 million in anticipated VDOT reimbursements for the Route 360 (Swift Creek to Winterpock Road) Widening Project.

Summary of Information:

In 1999, the county began managing the design, right-of-way acquisition, and construction of the Route 360 (Swift Creek to Winterpock Road) Widening project under the customary VDOT/county agreement. Because of budget constraints, the project was split into phases: a bridge phase (completed), a westbound lane phase (bids have been rejected twice because they exceeded estimates), and an eastbound lane phase (under design). The eastbound and westbound lane phases of the project will now be advertised as a combined project.

(Continued on Page 2)

Preparer: R.J. McCracken

Title: Director of Transportation

Agen609

Attachments:



Yes



No

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000176

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Summary of Information: (continued)

The Board previously appropriated \$6.5 million in anticipated VDOT reimbursements for the project. The recently approved county road bond referendum included \$10 million for the eastbound project. In November 2004, the county requested VDOT to agree to reimburse the county bond funds from future VDOT funds. VDOT has just entered into the agreement.

The Board should appropriate the \$10 million in additional anticipated VDOT reimbursements. A public hearing is required for appropriations of \$500,000 or greater.

Recommendation:

Staff recommends the Board appropriate an additional \$10 million in anticipated VDOT reimbursements for the Route 360 (Swift Creek - Winterpock Road) Widening Project.

District: Clover Hill and Matoaca

000177



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

Meeting Date: October 12, 2005

Budget and Management Comments:

This date has been advertised for the Board of Supervisors to hold a public hearing to consider appropriation of up to \$10 million in Virginia Department of Transportation (VDOT) reimbursement for the Route 360 (Swift Creek to Winterpock Road) Widening Project.

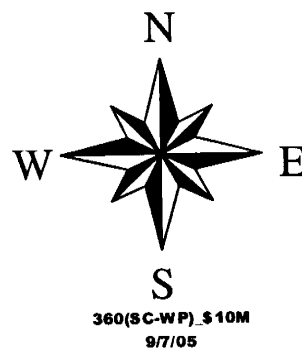
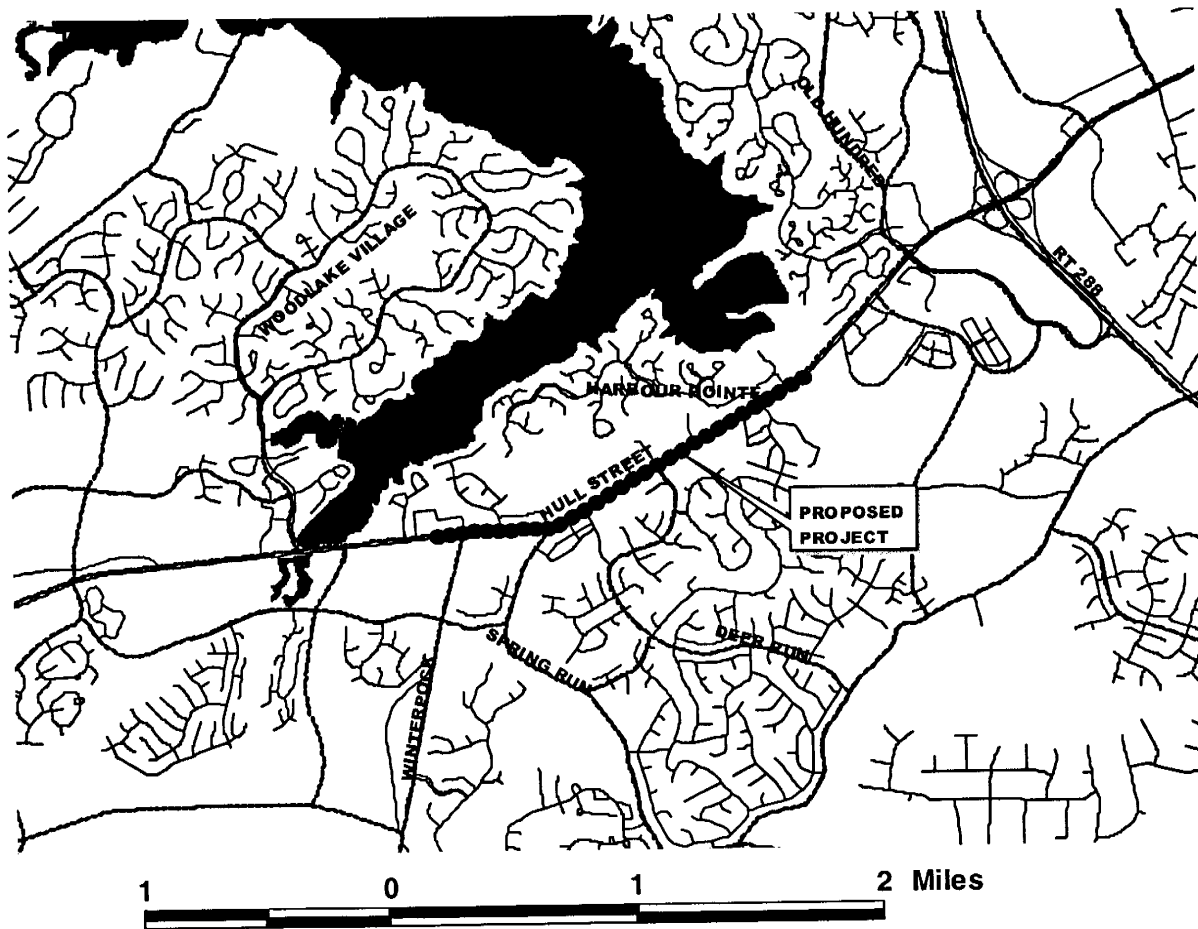
The reimbursement agreement with VDOT has recently been executed and will assist in the cost of right-of-way acquisition and construction costs to complete this project.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000178

360 (SWIFT CREEK - WINTERPOCK)



000179



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 15.F.

Subject:

Public Hearing to Consider Amending the Introduction to the Plan for Chesterfield to Include Language Regarding Affordable Housing

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JMK

Board Action Requested: Board of Supervisors has set October 12, 2005 public hearing to consider amending the Plan for Chesterfield, the county's comprehensive plan, to add the following proposed affordable housing language:

"Affordable housing opportunities for homeowners and renters should be available to all who live and work in Chesterfield County. There should be an opportunity for people of various income levels to live in economically integrated neighborhoods. Affordable housing may be integrated into high density and mixed-use development projects and should be encouraged through more flexible zoning wherever possible."

Summary of Information: The Code of Virginia now requires that comprehensive plans address affordable housing. In 2003, the Chesterfield County Planning Commission directed staff to review the County's affordable housing situation, including current and future needs. In 2004, the Planning Commission established a committee to review, discuss and recommend language to the county's comprehensive plan regarding affordable housing. The Affordable Housing Task Force began meeting in the fall. At its June 29, 2005 meeting, the Affordable Housing Task Force agreed upon draft language regarding affordable housing for consideration by the Planning Commission as

Preparer: _____ Kirkland A. Turner

Title: Director of Planning

Attachments:



Yes



No

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000180

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

an amendment to the comprehensive plan. On August 16, 2005, The Planning Commission held a public hearing on the proposed amendment language and its addition to the Introduction of the Plan for Chesterfield. The Planning Commission decided to recommend the proposed language to the Board of Supervisors for consideration.

It is recommended that the draft language noted above be incorporated in the Plan for Chesterfield's Introduction under the element denoted as NEIGHBORHOODS (See the attachment).

000181

- Preserving historic villages and creating new mixed use centers as community focal points.



New shopping centers should be architecturally compatible with nearby historic buildings

IMPORTANT RESOURCES

The Plan protects the environment and enhances the County's quality of life by recommending planning and design that preserves environmental functions and protects important environmental, cultural and historic resources.

The Plan for Chesterfield strives for:

- Making land use recommendations that take into consideration the conservation and wise use of the County's natural resources.
- Shaping appropriate development and public access along the 75 miles of James and Appomattox Riverfront.



Lake Chesdin

- Promoting environmental protection within the County by instituting protection measures in combination with broader land use policies.
- Preserving the quality of the County's streams, reservoirs and rivers.
- Identifying and encouraging the preservation of lands, sites, and structures that have archaeological and/or historic significance.
- Developing and promoting open space corridors as a framework to protect the natural environment and scenic values and provide outdoor recreation opportunities.

NEIGHBORHOODS

Neighborhoods are the building blocks of Chesterfield County and the County's quality of life is determined by their livability and character.

The Plan for Chesterfield works toward assisting the County's established neighborhoods and commercial areas to remain healthy or regain lost health by:

- Raising citizen awareness of critical issues facing their neighborhoods.
- Assisting neighborhoods to become proactive in their efforts to keep their neighborhoods healthy.
- Recommending actions that stabilize and improve the vitality and health of established communities.

Affordable housing opportunities for homeowners and renters should be available to all who live and work in Chesterfield County. There should be an opportunity for people of various income levels to live in economically integrated neighborhoods. Affordable housing may be integrated into high density and mixed-use development projects and should be encouraged through more flexible zoning wherever possible.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15.G.

Subject:

Hold Public Hearing to Appropriate Funds from the State Compensation Board Technology Trust Fund Due to an Administrative Change

County Administrator's Comments: *Recommend Approval*

County Administrator: *ASB*

Board Action Requested:

Hold a public hearing to consider appropriation of \$523,935 in Technology Trust Funds from the State Compensation Board for the Clerk of the Circuit Court due to an administrative change.

Summary of Information:

For the past nine years, Virginia law has required the Clerk of the Circuit Court to assess a Technology Trust Fund fee on certain transactions. Pursuant to statute, such funds are remitted to the State and on an annual basis, the State Compensation Board appropriates prior year collections for technology enhancements in the Circuit Court Clerk's Office. Due to an administrative change, beginning in FY2006, the State Compensation Board plans to remit Technology Trust Funds directly to the county. Reimbursements will be sent directly to a county special revenue fund, where all reimbursement and expenditure activity will be recorded. No county funds are affected by this appropriation as the county will simply serve as a conduit for State monies that are allocated by statute directly to the Circuit Court Clerk. The Clerk utilizes Technology Trust Fund monies to convert paper records to a digital format and for other automation enhancements. The funds were not included in the FY2006 adopted county budget and therefore need to be appropriated. They will be made a part of adopted county budgets in the future.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

Attachments:

☐

Yes

☒

No

#

000183



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15.H.

Subject: PUBLIC HEARING: Ordinance to Vacate a Portion of a Sixteen-Foot Easement Across Lot 9, Block K, Fuqua Farms, Section E

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Adopt an ordinance to vacate a portion of a 16' easement across Lot 9, Block K, Fuqua Farms, Section E.

Summary of Information:

The relocation of this portion of easement is in conjunction with the Hopkins Road Outfall Drainage Improvements Project and approval is recommended.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



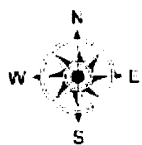
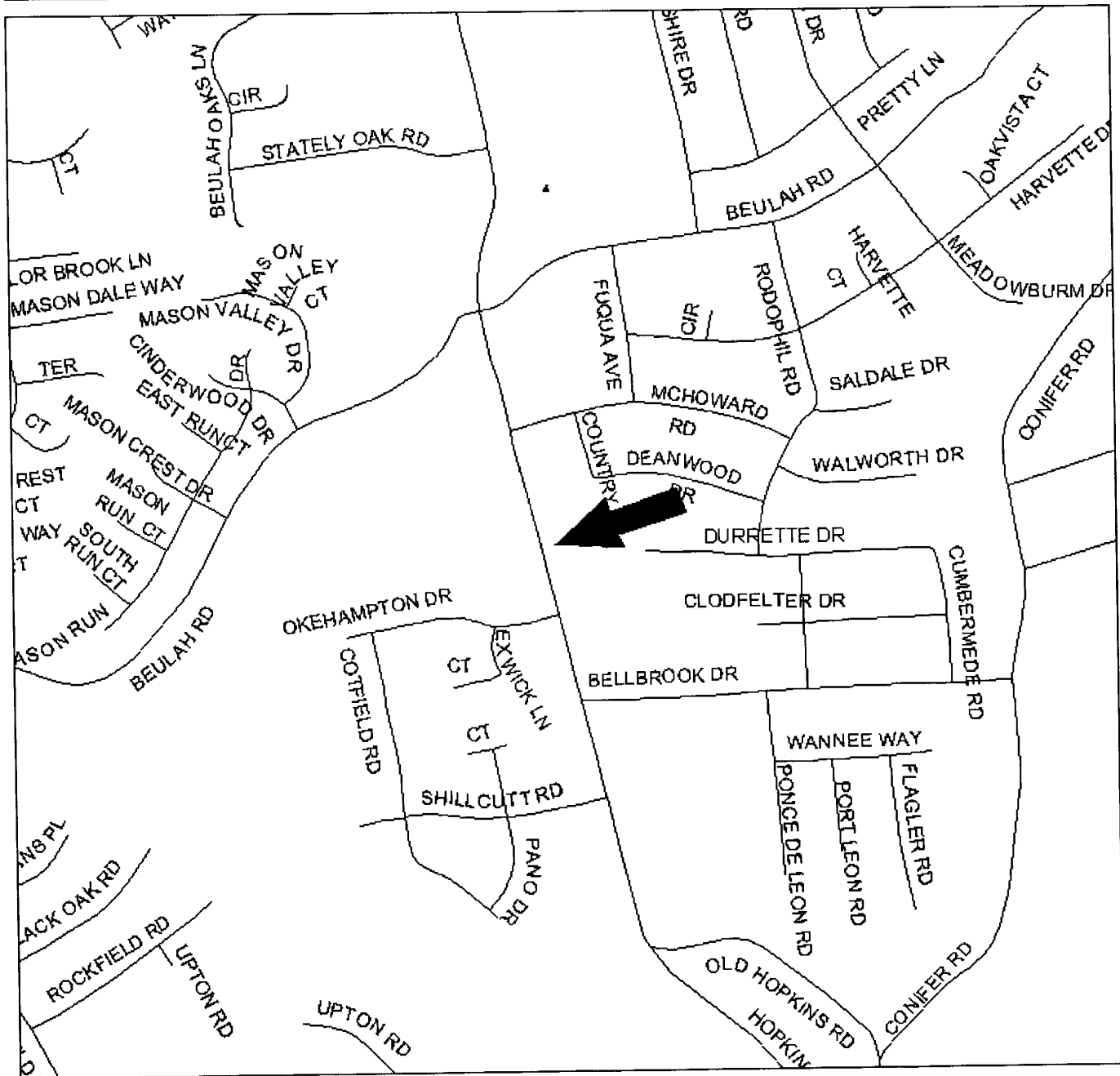
No

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000184

VICINITY SKETCH

PUBLIC HEARING: ORDINANCE TO VACATE A
PORTION OF A SIXTEEN FOOT EASEMENT ACROSS
LOT 9 BLOCK K FUQUA FARMS SECTION E

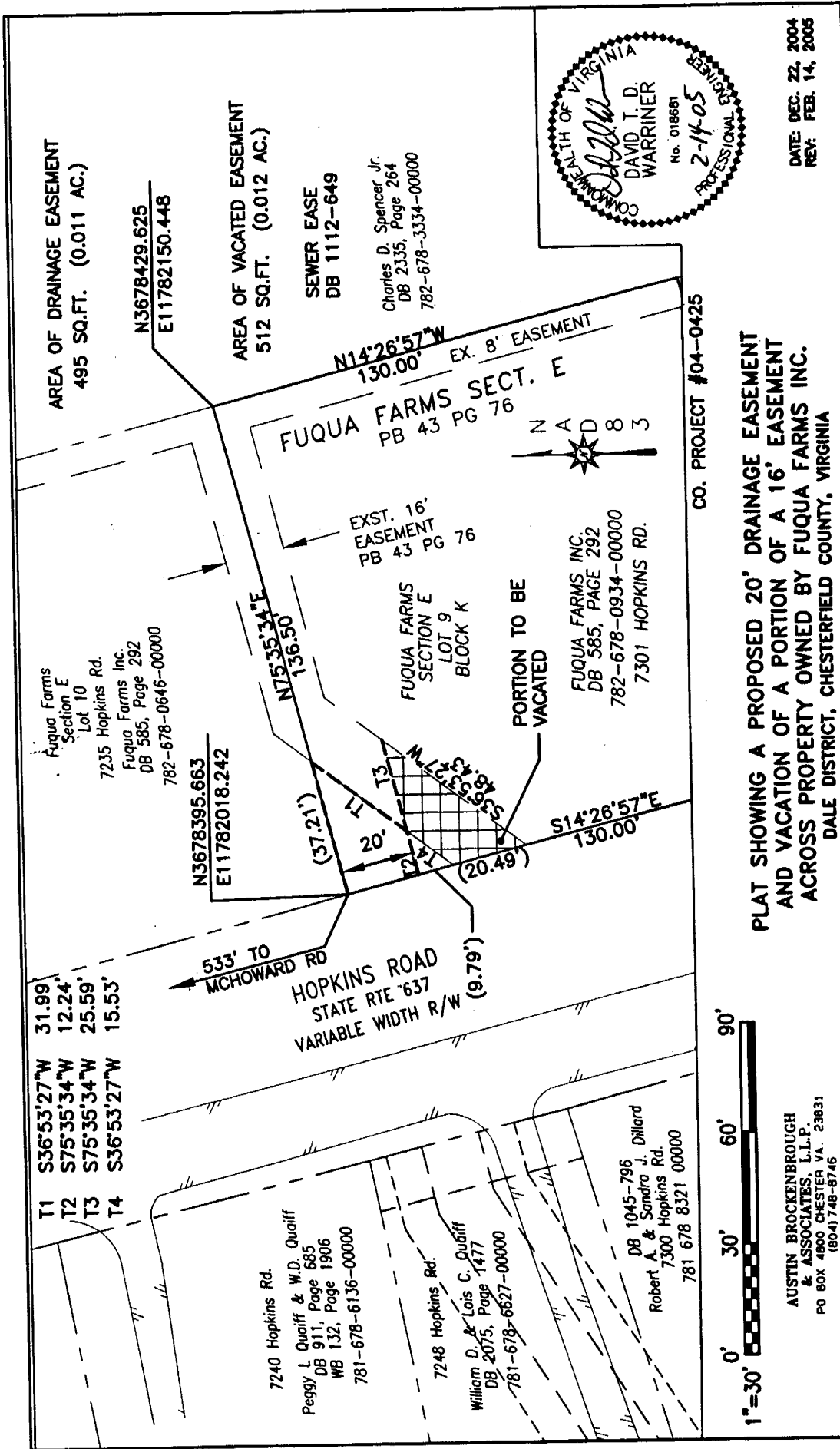


Chesterfield County Department of Utilities



1 inch equals 725 feet

000185



AB&A-04-038

000186



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 15.I.

Subject: A Public Hearing to Consider the Exercise of Eminent Domain for the Acquisition of Right-of-Way, Temporary Construction Easements and Utility Easements for the Route 360 Widening Project from Route 288 to Old Hundred Road

County Administrator's Comments: *Recommend Approval. There are questions regarding the impact on the residual property that will be answered in the Eminent Domain process*

County Administrator: _____

Board Action Requested:

The Board is requested to hold a public hearing to consider the exercise of eminent domain for the acquisition of right-of-way, temporary construction easements, and utility easements for the Route 360 Widening Project from Route 288 to Old Hundred Road and authorize the right-to-enter and take such right-of-way prior to eminent domain proceedings.

Summary of Information:

In April 2005, the Board authorized staff to proceed with the Route 360 Widening Project from Route 288 to Old Hundred Road. The widening will help relieve traffic congestion in the area. The county needs to acquire a variable width right-of-way, temporary construction easements, and utility easements in order to construct the project. Right-of-way and easements have been acquired from two of the four landowners impacted by the project.

The county's right-of-way consultant has been unable to reach an agreement with Brandermill Development Company, Limited Partnership. The County made an offer of \$52,765 based on an appraisal of the right-of-way and the easements to be taken. The owner is still assessing the impacts of the acquisition on the property and has not made a counteroffer. The property needs to be acquired so that utility relocations can be completed in advance of the road widening.

(Continued)

Preparer: R. J. McCracken
Agen613

Title: Director, Transportation Department

Attachments:



Yes



No

000187

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

The county's consultant has also been unable to determine the owner(s) of a parcel identified as Market Square Partnership, LTD. Court action is required to settle this acquisition. The appraisal for acquisition of the right-of-way and easements is \$8,925.

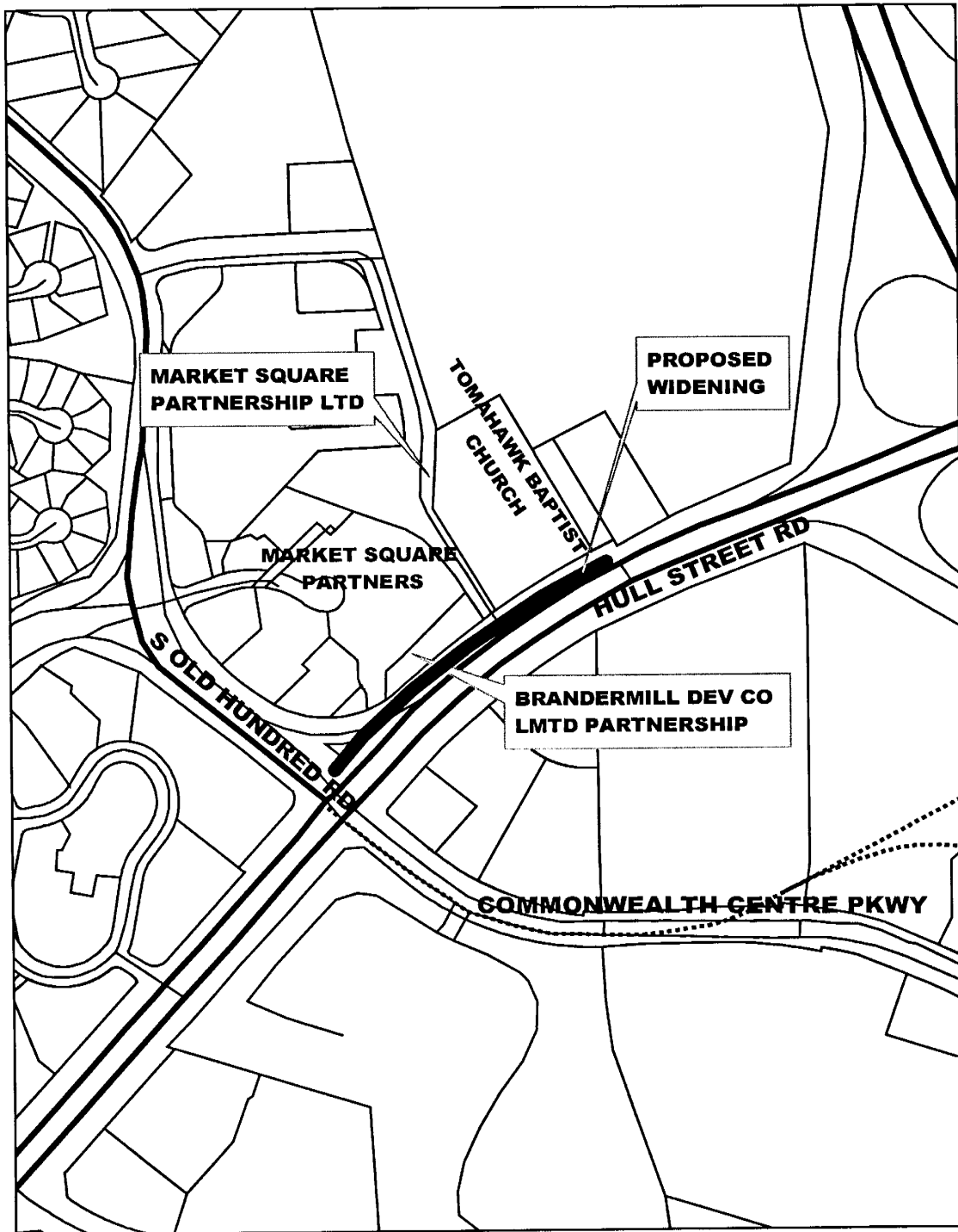
If the County proceeds with eminent domain, certificates will be filed which will immediately entitle the County to enter and use the right-of-way and easements. The County will then be obligated to purchase the right-of-way and easements.

Recommendation:

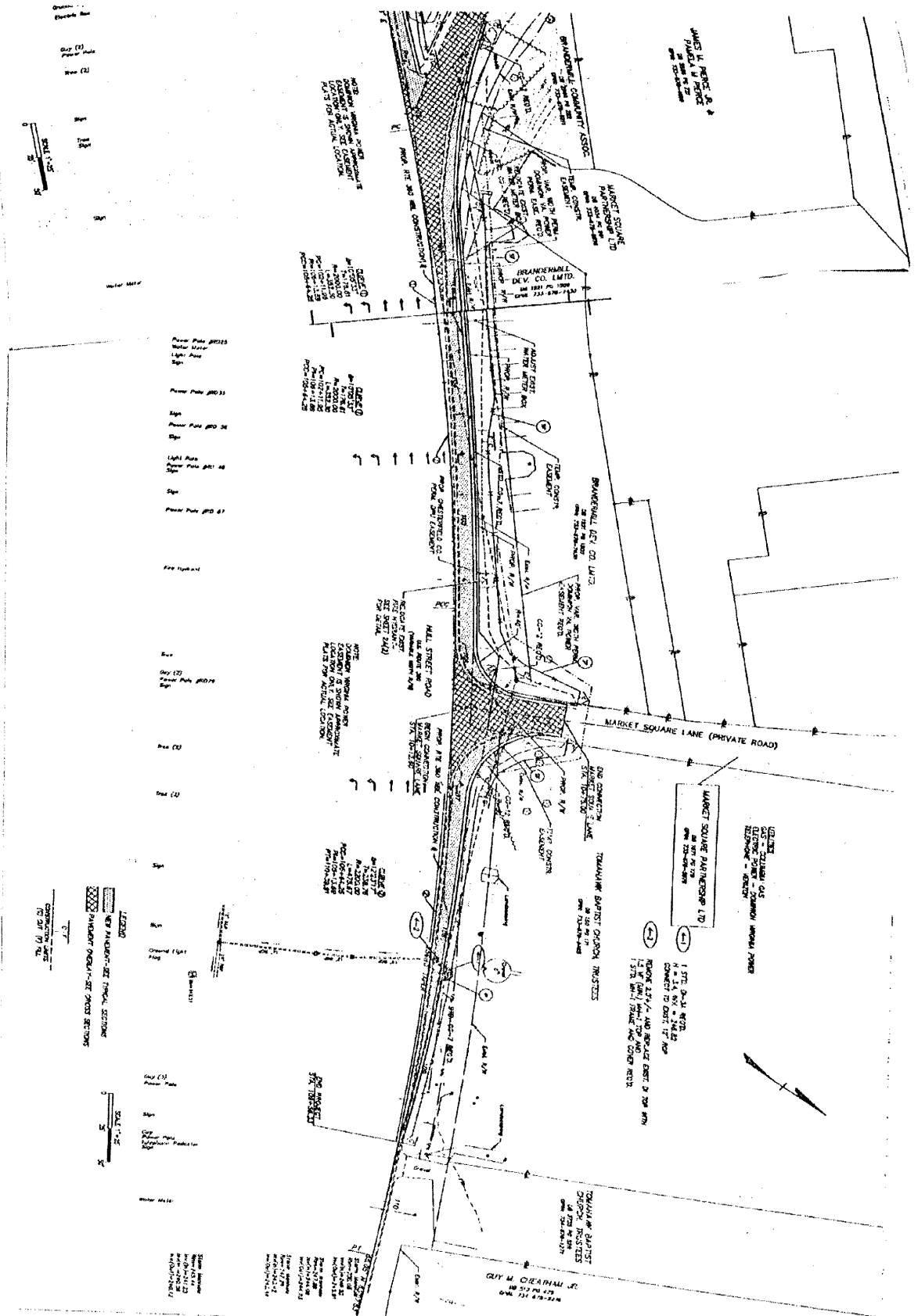
Staff recommends the Board authorize eminent domain to acquire the right-of-way and easements for the Route 360 Widening Project from Route 288 to Old Hundred Road.

000188

**ROUTE 360 WIDENING
(288 – OLD HUNDRED)**



ROUTE 360 WIDENING (288 - OLD HUNDRED) PLANS





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15. J.

Subject: PUBLIC HEARING: To Consider the Exercise of Eminent Domain for the Acquisition of Easements for Hallsley Subdivision

County Administrator's Comments: *Recommend Approval*

County Administrator: *LBK*

Board Action Requested: Approve the exercise of eminent domain for the acquisition of 30' permanent sewer easements and 15' and variable width temporary construction easements for Hallsley Subdivision and authorize the right to enter and take such easements prior to eminent domain proceedings.

Summary of Information:

On June 22, 2005, the Board of Supervisors authorized the Right of Way Office authority to aid G. B. S. Holding, Ltd. in the acquisition of offsite easements required for the development of Hallsley Subdivision. The following offers have been made for the necessary easements: 1) Mark Rubino and Sherry Sirko Robino, \$50.00; and, 2) Dean S. Pierson and Donna C. Pierson, \$423.00. These offers have not been accepted. Authorization at a public hearing will allow the county to take immediate title to the easements and once a certificate is filed, will obligate the county to purchase the easements sought. Staff will continue to negotiate with the owners in an effort to acquire the easements. Approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

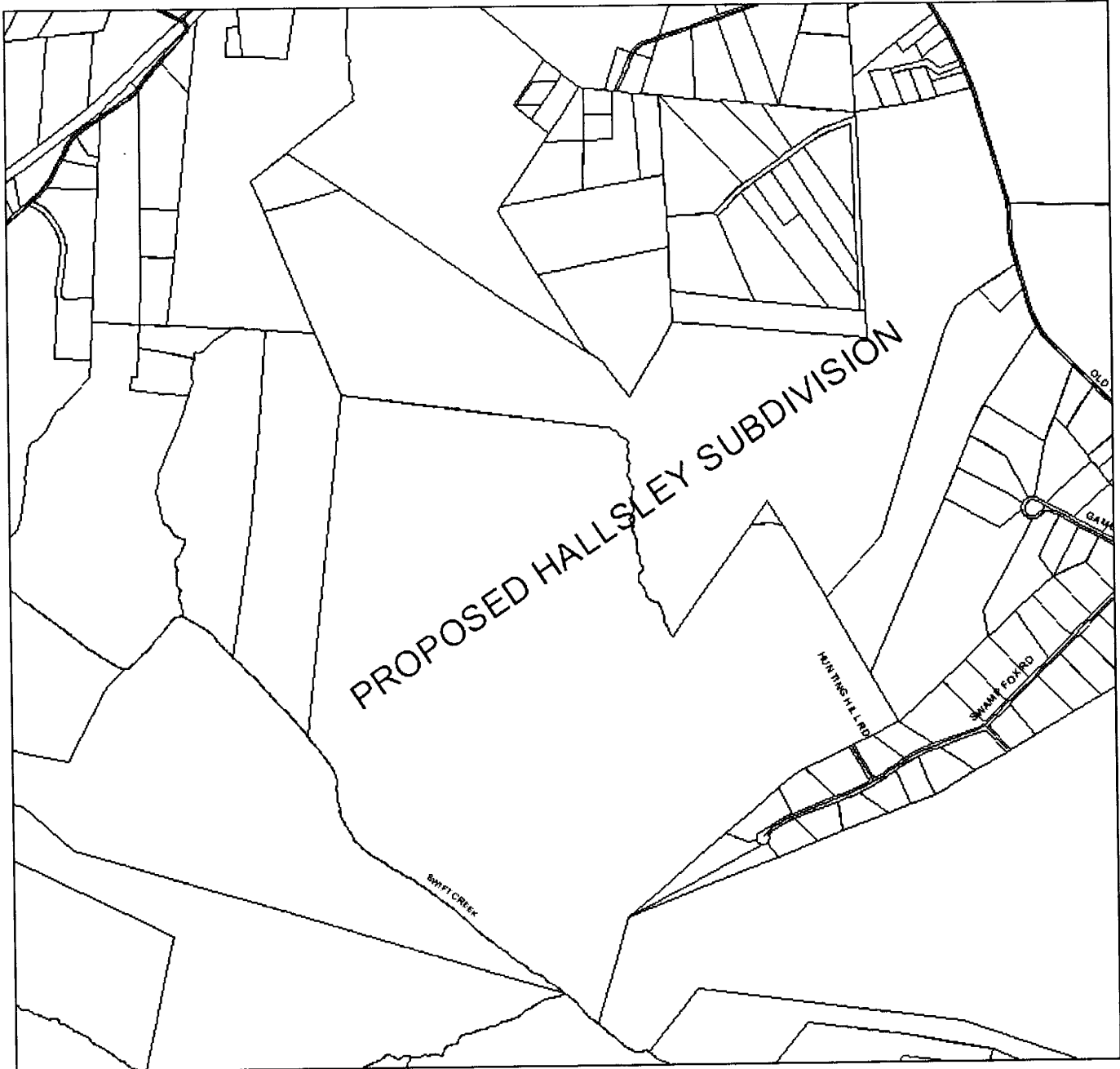


No

000191

VICINITY SKETCH

**PUBLIC HEARING: TO CONSIDER THE EXERCISE
OF EMINENT DOMAIN FOR THE ACQUISITION OF
OFFSITE EASEMENTS FOR HALLSLEY SUBDIVISION**



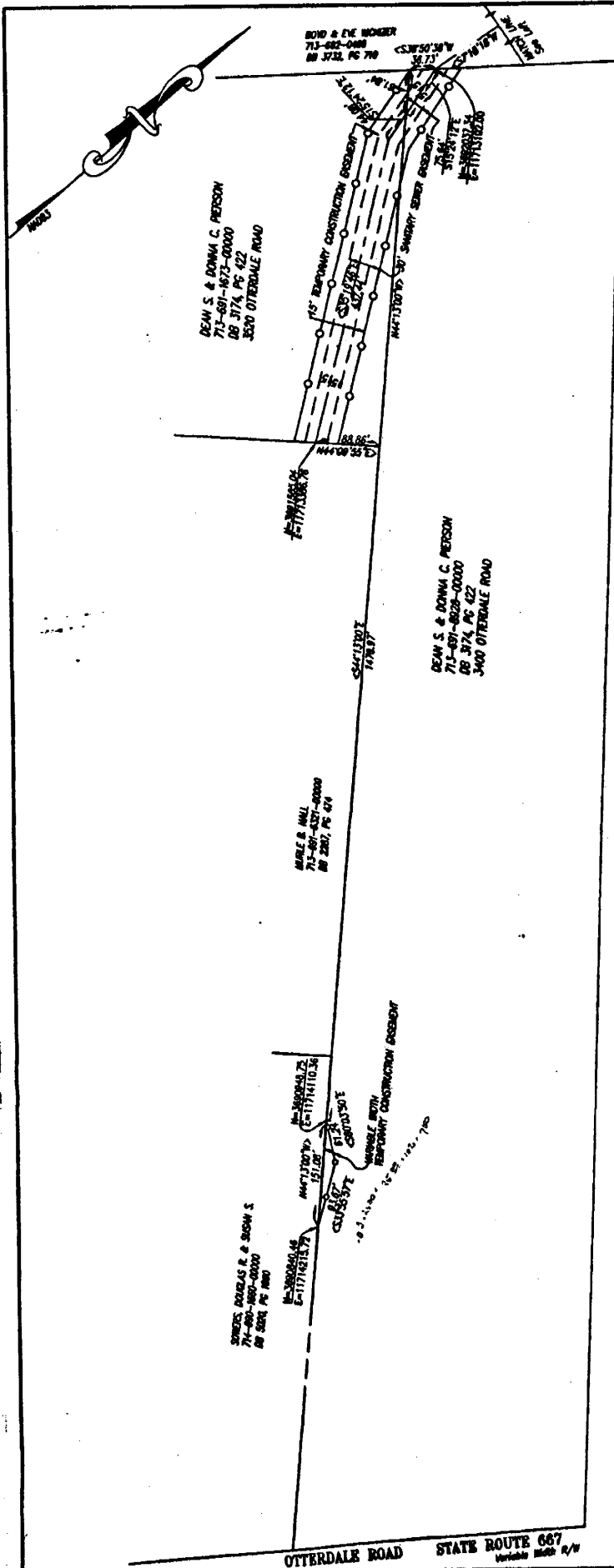
Chesterfield County Department of Utilities



1 inch equals 1,250 feet

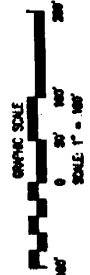
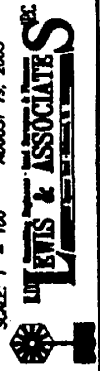


000192

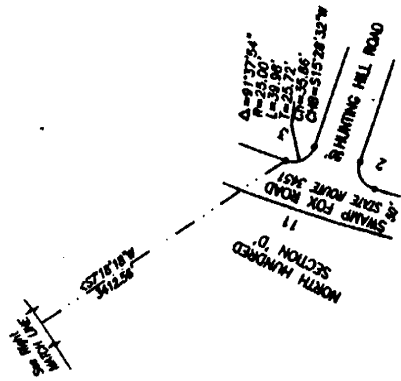


PLAT SHOWING 30' SANITARY SEWER
EASEMENT AND 15' & VARIABLE WIDTH
TEMPORARY CONSTRUCTION EASEMENTS
CROSSING THE PROPERTY OF DEAN S. &
DONNA C. PIERSON IN THE MATOACA
DISTRICT OF CHESTERFIELD COUNTY,
VIRGINIA

SCALE: 1" = 100' AUGUST 19, 2003

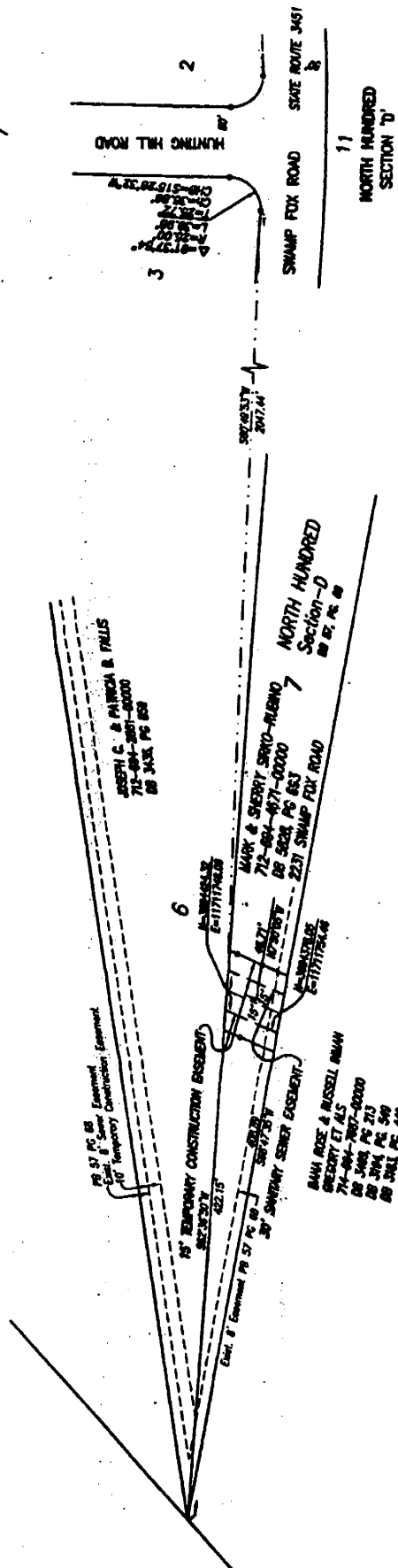
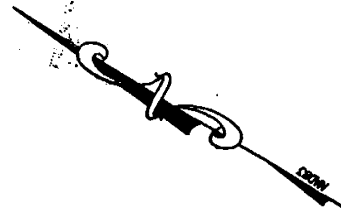


COUNTY PROJECT NO. 03-0281



OTTERDALE ROAD STATE ROUTE 667
Variable Width R/W

000193



PLAT SHOWING 30' SANITARY SEWER EASEMENT
AND 15' TEMPORARY CONSTRUCTION EASEMENTS
CROSSING THE PROPERTY OF MARK & SHERRY
SPRKO-RUBINO IN THE MATOACA DISTRICT OF
CHESTERFIELD COUNTY, VIRGINIA

SCALE: 1" = 60'
APR 14, 2003



COUNTY PROJECT NO. 03-0281



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 15.K.

Subject: PUBLIC HEARING: To Consider the Exercise of Eminent Domain for the Acquisition of Offsite Easements for Hampton Farms Subdivision

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Approve the exercise of eminent domain for the acquisition of 16' permanent water easements and 10' temporary construction easements for Hampton Farms Subdivision and authorize the right to enter and take such easements prior to eminent domain proceedings.

Summary of Information:

On June 22 2005, the Board of Supervisors authorized the Right of Way Office to aid Gary T. and Bonnie Jennings in the acquisition of offsite easements required for the development of Hampton Farms Subdivision. On September 12, 2005, an offer of \$6,800.00, was made to Harry L. and Joyce T. Francis for the purchase of the easements as shown on the attached plat. This offer has not been accepted. Approval at a public hearing will allow the county to take immediate title to the easements and once a certificate is filed, will obligate the county to purchase the easements sought. Staff will continue to negotiate with the owners in an effort to acquire the easements. Approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

000195

VICINITY SKETCH

PUBLIC HEARING: To Consider Exercise of Eminent Domain
for Acquisition of Offsite Easements for Hampton Farms
Subdivision



Chesterfield County Department of Utilities



1 inch equals 250 feet

000196



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: October 12, 2005

Item Number: 15.L.

Subject:

Public Hearing to Consider Adoption of an Ordinance Creating the Powhite Parkway-Charter Colony Parkway Interchange Service District for Road Construction Improvements at Centerpointe

County Administrator's Comments:

Recommend Creation of the District and financing plan so we can issue further building permits

County Administrator: _____

Board Action Requested:

The Board is requested to consider adoption of the attached ordinance creating the Powhite Parkway-Charter Colony Parkway Interchange Service District for road construction improvements at Centerpointe.

Summary of Information:

At the August 24, 2005 meeting, the Board held a public hearing and deferred action on whether to create a transportation service district to construct the Powhite Parkway-Charter Colony Parkway Interchange (see attached map). The proposed ordinance would impose an additional \$0.15 on the real estate tax to fund construction of a new interchange at Powhite Parkway extended and Charter Colony Parkway as well as to fund widening of Powhite Parkway on both sides of the interchange. The improvements, including design, acquisition of right of way not required to be dedicated by conditions of zoning, and construction costs, are expected to cost \$30 million (current cost). Revenue to fund these improvements is proposed to come from the additional \$.15 on the real estate tax as well as from pledging a portion of the future revenue generated by the incremental assessment increases of the properties in the District.

Preparer: Steven L. Micas

Title: County Attorney
0505(23):69790.2(69499.1)

Attachments:



Yes



No

000198

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 3

Contingent on the pace of development, design of the interchange could begin within three years of the creation of the District. The interchange will be built as soon as development generates sufficient revenues to begin construction. Under staff's proposal for the district, approximately 35% of the permissible densities would need to exist before construction could begin. This is estimated to be about ten years from now. The project would be split into three phases: a design phase, a phase for the widening of Powhite Parkway, and a phase for the construction of the interchange, with each phase commencing when sufficient funding exists to commence work.

The ordinance, which would become effective on January 1, 2006, requires all of the additional \$0.15 real estate tax, and 50% of the incremental increase in real estate taxes resulting from increased assessments, to be segregated and used exclusively for this project. All property located within the Centerpointe, Acropolis and Waterford areas would be included within the District except for tax exempt, church-owned property. Since all of the unapproved development in the District is subject to a zoning condition which requires construction of these improvements - a condition which delays the ability of landowners to develop the property at this time - such property will receive an immediate benefit from creation of the District, since creation of the District will relieve landowners from the zoning requirement and allow immediate development of their property. Additionally, all properties in the District will benefit from the traffic improvements when they are completed, since it will make the property in the District more accessible to motor vehicles traveling in and through the County by providing for the free flow of traffic without substantial traffic congestion.

Subsequent Developments:

Since the August 24th public hearing, staff was asked to evaluate several other options for the Board to consider with respect to creation of a district.

1. Create the district but exclude all parcels with existing improvements or approved site plans. This would mean that parcels with remaining development potential would be excluded. Under this scenario, the construction of the interchange could begin approximately 12 to 14 years from now and would require that about 45% of the permissible densities be built in order to generate the revenue to fund the interchange.

000199

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

2. Create the district, but all improvements for which there is an assessment or a partial assessment as of January 2006 would be excluded from the district. Partial assessments are done for any improvement that is 25% or more complete. The land associated with the existing or partial improvements on January 2006, would also be excluded. Under this scenario, the construction of the interchange could begin approximately 11 to 13 years from now and would require that about 40% of the permissible densities be built in order to generate the revenue to fund the interchange. Any future improvements, however, would be assessed the additional \$0.15.

In addition, Mr. Miller asked for the impact of not creating the assessment district. Current development conditions required that either the interchange be constructed or a plan for financing the interchange be in place prior to approving any additional development in the area bounded by the proposed district. Without a financing plan in place, staff will not be able to approve additional development in this area. Long term, staff estimates a potential loss of revenue approaching \$14 million annually in ten years. While it is impossible to predict how much of this potential revenue would still be captured by development staying in the county (but locating elsewhere), it is safe to assume that some portion of this revenue would be lost entirely. In addition, a prime area for future economic development will not be available for the county.

000200

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY ENACTING SECTIONS
9-40, 9-41, 9-42, 9-43, 9-44, 9-45 AND 9-46 CREATING
THE POWHITE PARKWAY-CHARTER COLONY PARKWAY
INTERCHANGE SERVICE DISTRICT, PROVIDING FOR THE
CONSTRUCTION OF ROAD IMPROVEMENTS, AND
IMPOSING A TAX ON PROPERTY LOCATED WITHIN THE DISTRICT

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That an Ordinance enacting Sections 9-40, 9-41, 9-42, 9-43, 9-44, 9-45 and 9-46 creating the Powhite Parkway-Charter Colony Parkway Interchange Service District, providing for the construction of road improvements, and imposing a tax on property located within the District is enacted as follows:

Section 9-40. Definitions.

The following words shall have the following meaning within this ordinance:

Director of Transportation: The Director of Transportation of Chesterfield County, or his designee.

District: The Powhite Parkway-Charter Colony Parkway Interchange Service District

Map of the District: The map entitled "Powhite Parkway-Charter Colony Parkway Interchange Service District," dated July 19, 2005 and prepared by the County Department of Transportation, which map is on file with the Director of Transportation, and which map shows the boundaries of the District, all parcels located in the District, and all specific parcels and areas within the District that are to be excluded from the District

Plan of the District: The plan entitled "Plan for Powhite Parkway-Charter Colony Parkway Interchange Service District Improvements," dated July 21, 2005 and prepared by the County Department of Transportation, and as may be subsequently amended, which map is on file with the Director of Transportation, and generally shows the facilities to be constructed within the District.

Project: The design, right of way acquisition and construction of the facilities described in Section 4 of this Ordinance.

Zoning Conditions: The zoning conditions of Chesterfield County zoning cases 86S117, 88SN0059 and 88S015 which require the landowners of property in the District to obtain approval of a phasing plan for construction of the facilities described in Section 9-43 prior to developing their property.

Section 9-41. Establishment of Powhite Parkway-Charter Colony Parkway Interchange Service District.

Pursuant to Code of Virginia, Section 15.2-2400 et. seq., and to Sections 2.1 and 2.4 of the Charter of the County of Chesterfield, there is hereby created in the county the Powhite Parkway-Charter Colony Parkway Interchange Service District.

Section 9-42. Boundaries of the District and Areas Within the District to be Excluded From the District.

a. The boundaries of the District shall be defined by the perimeter boundary created by the inclusion of the following County tax map parcels within the boundaries of the District: Tax Map Parcels Nos. 7276987803; 7266974349; 7246945390; 7266950706; 7266948763; 7266940343; 7246936630; 7266938112; 7276921212; 7276924914; 7276928910; 7276916781; 7286911366; 7286910330; 7296901190; 7296909318; 7296897678; 7296896719; 7296899331; 7296898414; 7296897100; 7296888382; 7296888969; 7296889256; 7306886484; 7306882683; 7306897839; 7306917359; 7286917754; 7326940332; 7336951700; 7316962505; 7286958731; 7286952429; 7296960058; 7266953178; 7286972424; 7266957906; 725697001600002. The boundaries of the District are also graphically depicted on the Map of the District.

b. The following parcels otherwise contained within the District shall be excluded from the District: Tax Map Parcels Nos. 7306886356; 725697001600001; 7256937338.

c. If the owner of any parcel of land excluded from the District pursuant to subsection 9-42(b) conveys the parcel to another owner, then the appropriateness of continuing the exclusion shall be considered by the Board of Supervisors at a public meeting of the Board promptly after the conveyance occurs.

Section 9-43. The Purpose of the District and the Facilities and Services Proposed Within the District.

The purpose of the District is to improve the availability of transportation service available within the District by constructing a single point, urban interchange. The County of Chesterfield shall cause to be constructed in the District:

a. A single point, urban interchange for traffic entering and exiting the Powhite Parkway (State Route 76) and entering and exiting the Charter Colony Parkway (State Route 754); and

b. A widening of Powhite Parkway from two lanes to four lanes from a point approximately 3,000 feet east of the single point, urban interchange to a point approximately 3,000 feet west of the single point, urban interchange.

The facilities to be constructed are generally depicted on the Plan of the District, with the final design of the facilities to be approved by the Director of Transportation prior to construction.

Construction of all facilities shall meet the requirements of the Virginia Department of Transportation.

In addition to the construction of the facilities, the County shall provide maintenance service for the transportation facilities constructed to serve the District, until such time as the maintenance of such facilities becomes the responsibility of the Virginia Department of Transportation.

Section 9-44. Plan for Providing the Facilities and Services Within the District.

a. The design and construction of the facilities described in section 9-43 shall be financed by revenue received from the following sources:

i. In addition to the real estate tax imposed on real estate and mobile homes in the County pursuant to the County's annual tax levy, there shall be a supplemental real estate tax of \$0.15 per \$100 of assessed value placed on all real estate located within the boundaries of the District, except for the real estate excluded from the District. Such supplemental real estate tax shall be recorded in the land books and real estate assessment records of the County in the same manner as other real estate taxes, and the exemptions set forth in Division Three of Article II of Chapter 9 of the Code of Chesterfield County, 1997, as amended, shall apply to such supplemental real estate tax in the same manner as they apply to other real estates taxes in the County; and

ii. The incremental increase in real estate tax revenue generated from real estate located within the District as a result of any increase in the assessed value of real estate located in the District after the effective date of this ordinance.

b. The County shall deposit all of the revenue received as a result of the supplemental real estate tax described in section 9-44(a)(i), and 50% of the incremental increase in real estate assessment described in section 9-44(a)(ii) into an interest-bearing account and shall segregate the revenue from other revenue maintained by the County. The revenue received from the sources described in this section shall be used exclusively for the design, right of way acquisition and construction of the facilities described in Section 9-43.

c. The phasing of completion of the Project shall be approved by the Director of Transportation. The Project is expected to be divided into three phases. Phase One shall be the design phase wherein all facilities to be constructed shall be designed by a competent professional engineer selected in accordance with the Virginia Public Procurement Act, Va. Code § 2.2-4300, et. seq. and all right of way which the engineering design indicates will be necessary for the Project shall be acquired by the County. Phase Two shall be the construction of the widening of Powhite Parkway (State Route 76) described in section 9-43(b). Phase Three shall be the construction of the single point, urban interchange described in section 9-43(a). Each phase of the project shall be performed promptly when the revenues deposited in the separate account described in section 9-44(b) are sufficient to accomplish the completion of that phase of the project.

Section 9-45. Benefits Which can be Expected From the Provision of the Facilities and Services to the District.

a. Each of the tax map parcels contained within the District consists entirely, or nearly entirely, of property which is obligated to construct the facilities described in section 4 9-43 of this Ordinance as a result of the Zoning Condition. The creation of the District will benefit all owners of property within the District by eliminating the requirement that each landowner obtain approval of a phasing plan for construction of the facilities prior to development and by instead placing the responsibility for constructing the facilities on the County.

b. The construction of facilities will also make the real estate in the District more accessible to motor vehicles traveling in and through the County by providing for the free flow of traffic without substantial motor vehicle congestion. Such increased accessibility will improve the value of the real estate in the District and facilitate the development of the real estate within the District for its highest and best use in accordance with the zoning for the property.

c. Prior to actual construction of the facilities, all property within the District will benefit from the transference of the responsibility for constructing the facilities from the landowners to the County because the Zoning Conditions require the landowners to obtain approval of the phasing plan for construction of the facilities prior to development. The transference of the responsibility for constructing the facilities to the County pursuant to the Zoning Conditions will allow landowners to develop their property without having to obtain such phasing approvals. Adoption of this ordinance shall constitute approval by the Director of Transportation of the phasing plan required by the Zoning Conditions, insofar as it relates to the facilities to be constructed pursuant to this ordinance. However, nothing contained in this ordinance shall be construed to affect in any way any requirement which pre-dated the adoption of this ordinance for any property to be dedicated to the County for the construction of any of the facilities described in section 9-43.

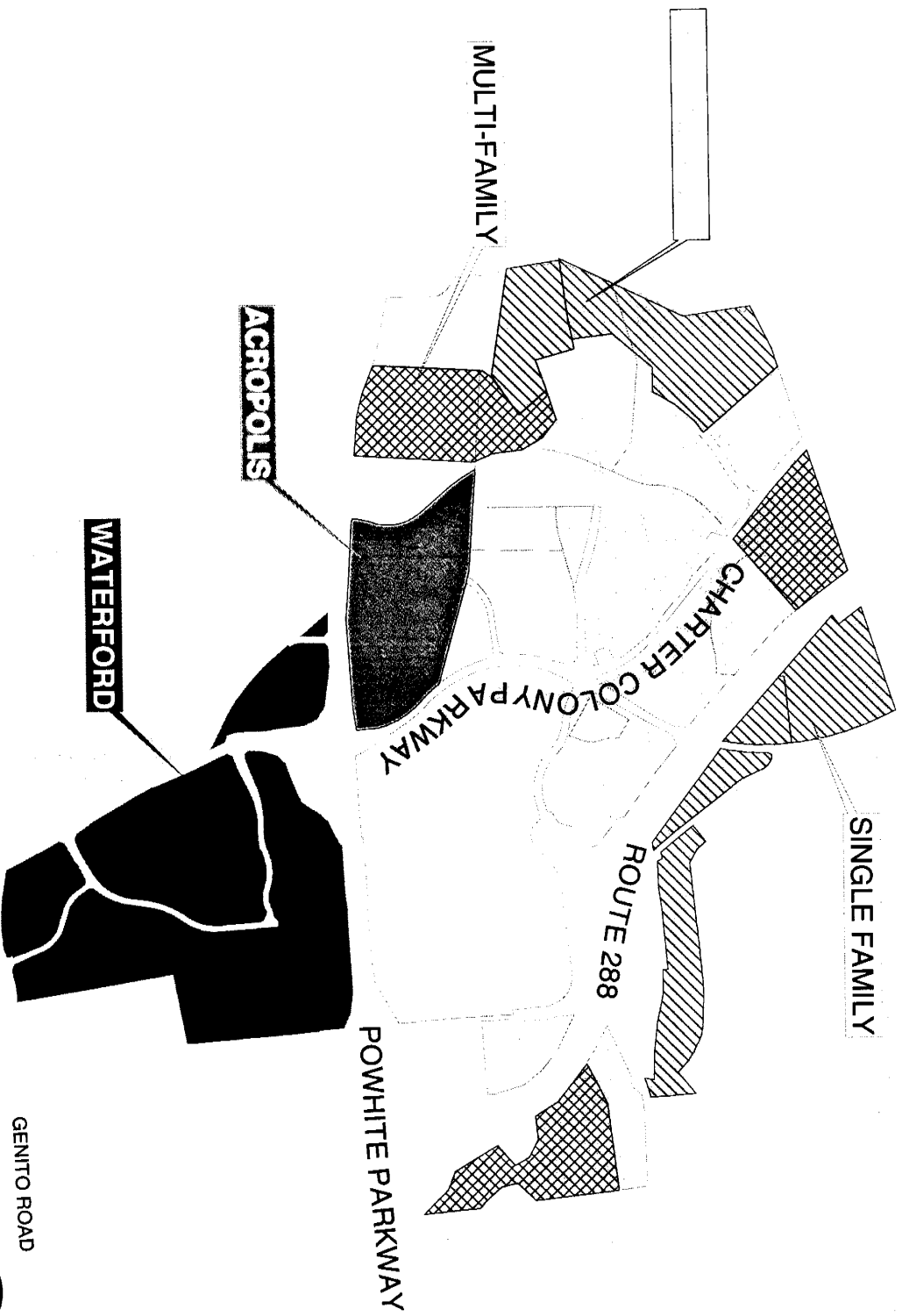
Section 9-46. Review of Status of Service District.

After the completion of the construction of Phase Three of the project, as described in Section 9-44(c), consideration of this ordinance shall be placed on the agenda of the Board of Supervisors for the next meeting following the completion, so that the Board may consider whether any additional facilities and services are to be provided to the real estate within the District, or what other action, if any, should be taken with regard to the District.

(2) *This ordinance shall take effect on January 1, 2006.*

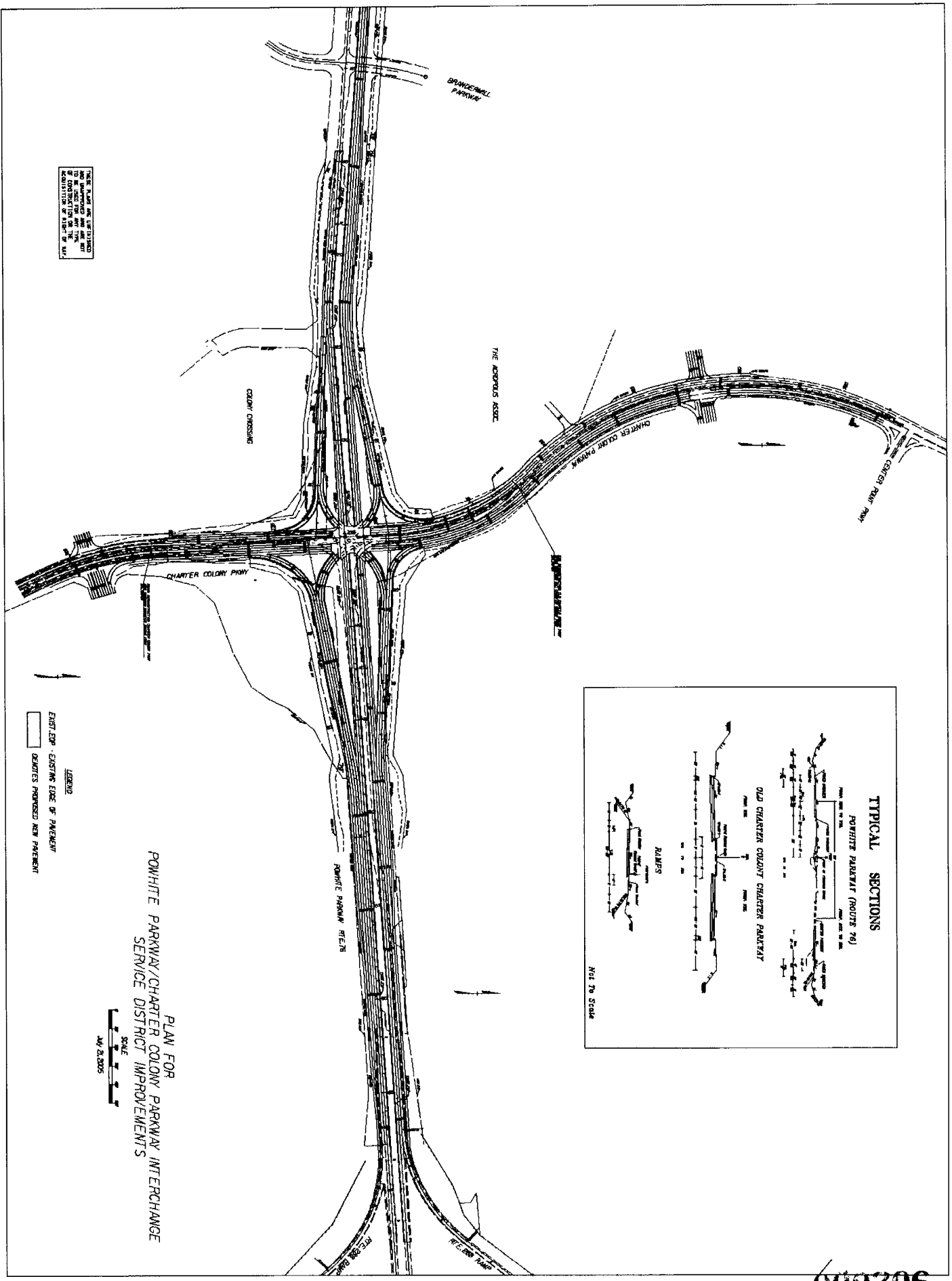
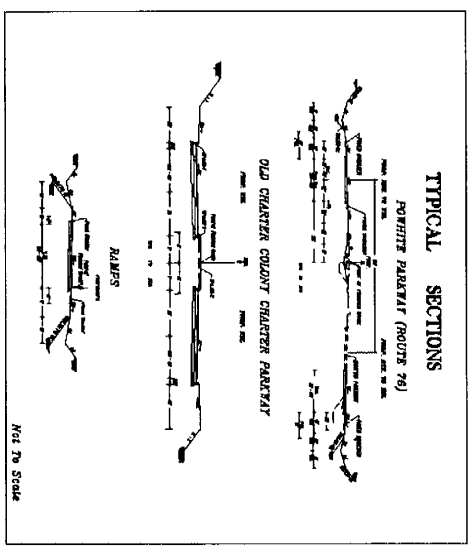
**POWHITE PARKWAY-CHARTER COLONY PARKWAY
INTERCHANGE SERVICE DISTRICT**

August 12, 2005



GENTO ROAD





THIS PLAN AND SPECIFICATIONS
DO NOT CONSTITUTE A CONTRACT
OR A GUARANTEE OF ANY KIND
OR A WARRANTY OF ANY KIND
OR A WARRANTY OF ANY KIND
OR A WARRANTY OF ANY KIND

LEGEND

EXIST'G - EXISTING EDE OF PAVEMENT

NEW - NEW PAVEMENT

PLAN FOR
POWHITE PARKWAY/CHARTER COLONY PARKWAY INTERCHANGE
SERVICE DISTRICT IMPROVEMENTS

SCALE

1" = 100'

1/2" = 100'

1/4" = 100'

1/8" = 100'

1/16" = 100'

1/32" = 100'

1/64" = 100'

1/128" = 100'

1/256" = 100'

1/512" = 100'

1/1024" = 100'

1/2048" = 100'

1/4096" = 100'

1/8192" = 100'

1/16384" = 100'

1/32768" = 100'

1/65536" = 100'

1/131072" = 100'

1/262144" = 100'

1/524288" = 100'

1/1048576" = 100'

1/2097152" = 100'

1/4194304" = 100'

1/8388608" = 100'

1/16777216" = 100'

1/33554432" = 100'

1/67108864" = 100'

1/134217728" = 100'

1/268435456" = 100'

1/536870912" = 100'

1/1073741824" = 100'

1/2147483648" = 100'

1/4294967296" = 100'

1/8589934592" = 100'

1/17179869184" = 100'

1/34359738368" = 100'

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: October 12, 2005

Item Number: 15.M.

Subject:

Public Hearing on the FY2006 Maximum Per Dwelling Unit Cash Proffer Amount

County Administrator's Comments: *Recommend Increase to 17,000*

County Administrator: *LBR*

Board Action Requested:

After the public hearing, the Board is requested to set the maximum cash proffer amount per dwelling unit for FY2006.

Summary of Information:

At the July 27, 2005 Board meeting, staff presented information on the cash proffer program, including a recommendation to set the FY2006 maximum cash proffer amount at \$17,000 per dwelling unit. The Board deferred action on setting the FY2006 cash proffer amount, and established this date for a public hearing on the matter.

Since the July meeting, the public has participated in an information and brainstorming session on Chesterfield's growth management strategies. Furthermore, a Board chairman appointed committee has met weekly during September with the chairman and staff to develop recommendations on capital project revenue generating strategies to fund infrastructure needs. Staff worked with the committee by presenting information on capital facility needs, existing and potential new growth strategies, and revenue generating options.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

Attachments:

☐

Yes

☒

No

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000207

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: October 12, 2005

Summary of Information (continued)

The committee has reached consensus on several recommendations as follows:

- 1) Actively support and lobby for legislation that would allow localities in the region to levy an additional 1% sales and use tax to fund road construction or the most urgent of each localities capital needs.
- 2) Defer action on the increase in the maximum acceptable cash proffer for FY2006 until January 2006. This would allow sufficient time to see if there is support in the region for the 1% sales and use tax initiative.
- 3) Initiate a task force comprised of county economic development staff and business representatives to review current commercial and business development strategies and to identify additional opportunities to collaboratively expand the county's commercial tax base.

The work group also agreed that it would be beneficial to jointly engage a consultant to evaluate the long-term impact of cash proffers on the building industry and conversely, the long-term impact of not having sufficient infrastructure in place and the impact that would have on the building industry. The homebuilding industry has agreed to pay for half the cost of the study. This effort would be more long term, not something that could be accomplished in the next few months.

The Board could adopt a maximum acceptable cash proffer amount up to the calculated costs of \$17,525 per dwelling unit. Staff is recommending a maximum amount of \$17,000 per dwelling unit.

000208



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: October 12, 2005

Item Number: 16.

Subject:

Adjournment and Notice of Next Scheduled Meeting of the Board
of Supervisors

County Administrator's Comments:

County Administrator: _____ *ABR*

Board Action Requested:

Summary of Information:

Motion of adjournment and notice of a regularly scheduled meeting to be
held on October 26, 2005 at 4:00 p.m.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:

☐

Yes

☒

No

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000209